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Illinois Issues

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A publication of the University of Illinois at Springfield

ILLINOIS DOCUMENTS

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The new immigrants

*An increasing number of families
plot their route to the American Dream
by way of Illinois' suburbs and small towns*

"My heart goes out to the victims and their families. I join with the people of Illinois in praying for them. Their pain and suffering is beyond imagination. But the spirit of the American people and of democracy is strong. It cannot break."

GEORGE RYAN
GOVERNOR, STATE OF ILLINOIS

"We invite our friends and allies among the civilized nations to not only share our grief, but also to share our determination to end the scourge of terrorism. The enemies of America, the enemies of freedom, unleashed their fury yesterday in New York and at the Pentagon in an effort to destroy our resolve. Our enemies have failed."

RICHARD DURBIN
U.S. SENATOR FROM ILLINOIS

"Peace among all people remains the world's most important unfinished business. It is imperative that all our students, faculty and staff – especially from other countries – feel confident of their personal security in what must be a civil environment."

JAMES STUKEL
PRESIDENT, UNIVERSITY OF ILLINOIS

The agony of those who died is surpassed only by the agony of the nation that mourns them, and there surely will be a reckoning in heaven and on earth. In coming to that reckoning, though, we cannot descend to the level of those who committed these dastardly acts.

SOUTHERN ILLINOISAN, CARBONDALE

At Northwestern University, students painted a U.S. flag on "the Rock," a gathering spot in the middle of campus, and wrote, "United We Stand 9-11-01."

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of Illinois
respond*

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solemn service. I didn't know what to expect. I wasn't sure of my role.

I realized later that, in this context, I am a follower, along with millions of others. It's a role that many are not accustomed to. There are thousands of books on leadership, Garry Wills once wrote, but none on followership.

Wills wrote in *Certain Trumpets: The Call of Leaders* that we have many leaders today, but we lack sufficient followers. Followers do not submit to a leader, he explained, but "join him or her in pursuit of [a] goal." That happens when a leader articulates a vision and a goal, and followers assent. Without a shared goal, without willing followers, there are no leaders.

On the Springfield campus, while another service was taking place at the Statehouse, UIS Chancellor Richard Ringeisen praised the university community for remaining calm in the first days after the attacks on the World Trade Center and the Pentagon. Leading by example, he spoke calmly for only a few minutes after a 25-foot by 30-foot American flag, borrowed from the Elks, was rolled out from the roof of the library building. The crowd clapped

want to go. British Prime Minister Tony Blair, for instance, warned that terrorism is the "new evil." With a new enemy, then, our response must be different.

But followership, too, is not a passive act. Followers must cue their leaders that they are listening. They must give them the time and freedom to develop plans of action. That doesn't mean they must agree with everything leaders do and say. Sometimes, as Robert Kennedy once said, we have a duty to dissent. But many times, our role is to consent. Silence or noisy disagreements in such circumstances point to a failure of followership.

Following means risking discomfort. It means standing with others on a university lawn, in the Daley Plaza or in a mosque. It means seeing value in being together, and expressing consent to noble visions, voices of reason and enduring values. It means letting good leaders lead. It means acknowledging humbly that we are part of something bigger than ourselves.

Followership in extraordinary times is a choice, an active, essential democratic choice. ☐

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Ed Wojcicki



A role for followers in these extraordinary times

by Ed Wojcicki

I felt a bit uncomfortable strolling to the library lawn here at the University of Illinois at Springfield. It was September 14, the national day of prayer and remembrance, and I'm not used to gathering with colleagues for a solemn service. I didn't know what to expect. I wasn't sure of my role.

I realized later that, in this context, I am a follower, along with millions of others. It's a role that many are not accustomed to. There are thousands of books on leadership, Garry Wills once wrote, but none on followership.

Wills wrote in *Certain Trumpets: The Call of Leaders* that we have many leaders today, but we lack sufficient followers. Followers do not submit to a leader, he explained, but "join him or her in pursuit of [a] goal." That happens when a leader articulates a vision and a goal, and followers assent. Without a shared goal, without willing followers, there are no leaders.

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softly at the sight of the flag, and spontaneously sang "America the Beautiful" when the 10-minute observance ended.

In extraordinary times, leaders search for words and plans of action to nudge people in directions they might not want to go. British Prime Minister Tony Blair, for instance, warned that terrorism is the "new evil." With a new enemy, then, our response must be different.

But followership, too, is not a passive act. Followers must cue their leaders that they are listening. They must give them the time and freedom to develop plans of action. That doesn't mean they must agree with everything leaders do and say. Sometimes, as Robert Kennedy once said, we have a duty to dissent. But many times, our role is to consent. Silence or noisy disagreements in such circumstances point to a failure of followership.

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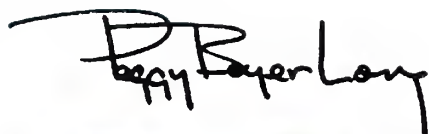
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Illinois is changing. That may be a difficult reality for some to accept

by Peggy Boyer Long

The picture of the mosque shown on the network news that terrible week of September 11 looked familiar. And for good reason. Just last summer, *Illinois Issues* featured the Mosque Foundation in the southwest suburban community of Bridgeview, part of the magazine's ongoing series of assessments on social and cultural shifts in our state.

Now, unfortunately, the world was taking our measure, too. NBC showed a carload of kids driving past the Bridgeview mosque, shouting and waving an American flag. Alongside this image was another: a young Illinois mother, wearing head covering as required by her Islamic faith, on a sidewalk with her children. Out of fear for their safety, it seems, Muslim mothers like her were choosing to keep their children home from school.

Maureen Foertsch McKinney, who reported and wrote the magazine's in-depth look at Middle Eastern immigration in the southwest suburban region (see "Hotdogs and hummus," June, page 14), says the truth is that many Arab Americans come to this country so that they can protect their children from violence in their homelands.

In the televised report, one Arab American noted that she has been here some 18 years now. What she didn't say is that, most likely, this is longer than those flag-waving kids have been alive.

McKinney documented the tensions in previously all-white communities. "The suburbs to the southwest of Chicago," she wrote, "have never been known for eagerness to embrace diversity. Nevertheless, diversity is beginning to embrace them."

This may be a difficult reality for some. Our country has been a majority-white culture throughout most of its history. But the nation is changing. So is Illinois. It's happening on a religious level, on a cultural level and on a racial level. And, not coincidentally, on a political level.

There is no question Islam is a growing religion in Illinois. And no question that the Arab population is growing in the southwest suburbs. In fact, that region accounts for almost a third of metropolitan Chicago's approximately 150,000-strong Arab community, the nation's third-largest.

This state's Asian population is increasing, too. Stephanie Zimmermann writes in "Naperville, meet Asia" (see page 22) that the DuPage County community's Asian and Pacific Islander population was 1,179 in 1980 and 4,133 in 1990. In 2000, when Asians were counted separately from Pacific Islanders, Zimmermann writes, "there were a whopping 12,380 Asians in Naperville, or about 9.6 percent of the total population."

Naperville School District 203 counts among its students Indians,

Pakistanis, Koreans, Chinese, Taiwanese, Japanese, Indonesians, Cambodians, Thais, Vietnamese and Laotians. "The world is changing," Miriam Yeung, the district's curriculum coordinator for the English as a Second Language Program, told Zimmermann.

Indeed, it is. Beardstown has added Spanish-speaking teachers to serve that downstate community's growing Hispanic population. Lisa Kernek wrote last month that the town experienced a nearly 2,000 percent increase in its Hispanic population between 1990 and 2000, the steepest rise in the state, according to U.S. Census Bureau figures (see "Growing pains," September, page 21).

What's striking is that Beardstown is far from any major urban area. That is precisely the theme Dave McKinney develops in this month's cover story, "The new immigrants," which begins on page 16. An increasing number of immigrant families are sidestepping urban neighborhoods altogether. They're settling instead in the smaller communities that dot the state. That means diversity is spreading throughout Illinois.

And, as we read in the columns on pages 6, 41 and 42, the reality of these social and cultural shifts will be reflected in the state's political makeup.

Immigrants are not on the periphery of who we are. They are Illinois. □

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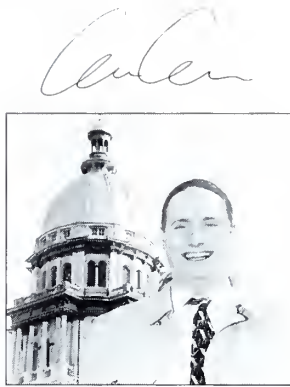
by Charles N. Wheeler III
The state's remap

Credits: This month's cover was designed by art director Diana Nelson.

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The tie-breaker provision has become the start of state redistricting

by Aaron Chambers

The game had just begun. Secretary of State Jesse White reached into a stovepipe hat, a replica of one worn by Abraham Lincoln, and pulled out Michael Bilandic's name, giving the Democrats an upper hand in shaping the boundaries of the state's senatorial and representative districts for the next 10 years.

Democrats, who gained a fifth member on the special commission convened to redraw those districts, cheered. Republicans, left with four members, solemnly made their way out the doors of the Old State Capitol in Springfield.

This tie-breaking procedure, mandated by the state Constitution when both the legislature and the commission fail to strike a deal on a map, was supposed to be an incentive for bipartisan agreement. The Constitution's drafters figured lawmakers wouldn't want to risk losing the whole game in a lottery.

But in the three decades that have passed since the Constitutional Convention, the tie-breaker has become, for all practical purposes, the start of decennial redistricting. Rather than negotiate a map that could be adverse to their wishes, lawmakers wait to see which party wins the lottery. Then they go to court and fashion their arguments for or against that outcome.

It's been invoked in three out of four legislative remaps since 1970, the year the new Illinois Constitution was implemented.

"[The tie-breaker] has not achieved what delegates thought it would achieve," says Dawn Clark Netsch, a Chicago Democrat and delegate to the convention.

A great deal is at stake. Whichever party controls the process can design district boundaries to its advantage. Basically, mapmakers try to create as many "safe" districts as possible in an effort to preserve or win a majority in the legislature. At the same time, they try to destabilize areas of the state controlled by the other party, creating "battlefield" districts where incumbents are forced to run against each other, move or drop out.

The Democrats, who control the House, will try to preserve their majority and, presumably, try to take over the Senate in the next election. The Republicans, who control the Senate, will try to preserve

their majority and may attempt to gain seats in the House.

The Democrats still face obstacles this year. At this writing, representatives of both major political parties were in federal court arguing over whether the tie-breaker provision is even constitutional. And Republicans were expected to challenge in court the map proposed last month by the Democrat-controlled commission. Still, as far as lawmakers at last month's ceremony were concerned, the Democrats won the first round.

The state Constitution requires lawmakers to redesign the districts in the year following each decennial census to account for shifts in population. If they can't decide on a map, a special commission must take a crack. And if commission members can't agree, then the secretary of state must conduct a lottery to select one of two individuals, not of the same political party, to serve as the commission's ninth member. One party then has enough votes to end the stalemate.

The tie-breaker provision has been invoked in three of four legislative remaps since the new Constitution was implemented in 1970. Only the 1971 remap was accomplished without it. This year, the Republican and Democratic legislative leaders didn't bother trying to agree on a map. Nor did the remap commission's initial eight members, who are appointed, two each, by the four leaders. Instead, both parties waited for Secretary of State White to pick between Bilandic, a Democrat, and Republican Benjamin Miller, both of whom are retired Illinois Supreme Court justices.

Apparently, winning the upper hand in a lottery is worth the risk.

"The problem [with compromise]," says Steve Brown, spokesman for House Speaker Michael Madigan, a Chicago Democrat, "is trying to find agreement, first among yourselves and then with the opposite political party, on a proposal where there are going to be some significant changes.

"Nobody seems to really get it yet that, even with a Democratic majority on the commission, trying to develop a map that will satisfy a lot of Demo-

crats and all the other court-related issues is not an easy task.”

Still, criticism of the tie-breaker provision, and the legislature’s increased reliance on it, appears to be growing. State officials, including White, a Democrat, and some lawmakers attacked the provision before and after this year’s drawing, arguing it’s bad policy for control of the commission to hinge on a lottery.

Gov. George Ryan, who stood in White’s shoes as secretary of state, has called the lottery “bad process and bad government” that doesn’t serve the state’s citizens well. Ten years ago, as Ryan prepared to draw one of two names, the Republican and former legislator reminded the legislature that “the whole point of the legislative process is to achieve compromise.”

“Legislators can’t just flip a coin or pull an answer out of a hat anytime they’re forced to face a tough decision,” he said. “So, let me say that I hope that we really don’t have to do this in another 10 years.”

To that end, Ryan in 1992 formed a commission to study redistricting procedures. Its mission: to find a better process for redrawing legislative boundaries. In 1999, that commission, headed by Jeffrey Ladd, recommended that each chamber of the legislature draw its own map. Under those guidelines, each chamber would need agreement from three-fifths of its members, meaning proposed Senate and House maps would need bipartisan support. If lawmakers in either chamber couldn’t agree on a map, the commission recommended officials use “an impartial computer program” to draw a map for them.

“The members of the commission believe this may constitute a ‘tie-breaker’ which will prove to be a real incentive for bipartisan agreement,” the commission wrote in its report. The legislature did not act on that proposal.

This year, the tie-breaker also is at issue in federal court. Democratic and Republican plaintiffs have challenged the state Constitution’s provision, claiming it violates the due process guarantees of the U.S. Constitution.

The state Constitution gives the

state Supreme Court “original and exclusive” jurisdiction over litigation related to redistricting. But attorneys for the Republicans want the federal courts to toss the provision and draw the map. The federal courts, which are packed with appointees from the Reagan and senior Bush administrations, are regarded as more Republican-friendly. Meanwhile, attorneys for the Democrats want the Illinois Supreme Court to hear the dispute. The state’s high court has five Democratic and two Republican justices.

According to attorneys involved with the lawsuits, the Illinois tie-breaker provision has never before been directly challenged in court. But that’s not to say that judges haven’t weighed in. In 1992, then-Justice Bilandic and two of his Democratic colleagues dissented from a decision that upheld a map drawn by Republicans.

“The establishment of legislative districts impacts the rights of Illinois citizens to participate on a fair and equal basis in the electoral process,” Bilandic wrote. “Consequently, when the establishment of legislative districts is accomplished in an arbitrary manner, the right of Illinois citizens to due process of law is violated.”

The tie-breaker procedure wasn’t supposed to be central to the remap process. When delegates at the Constitutional Convention inserted the provision, they hoped it would force lawmakers to make a deal, or risk it all in a lottery. The provision also was designed to ensure the state would get a new map every 10 years. That’s because in 1964 candidates for the House had to run at-large when lawmakers failed to agree on a map — the old Constitution’s version of an incentive for bipartisan compromise. The 1964 ballot was known as the “bed sheet ballot” because of its length.

“The object of the reapportionment plan, after the General Assembly has been given the first chance to reapportion, is to reduce both political parties to a state of equivalency,” William A. Sommerschild, a Republican delegate and chief architect of the Constitution’s remap

section, argued during the convention. “We believe we achieve this by utilizing the random selection method of achieving a tie-breaker, whereby neither party could look ahead with certainty as to a potential tie-breaker being more in line with their opinions than with the other party’s opinions.”

Indeed, in 1971, lawmakers managed to draw a map without resorting to the lottery. A special commission, formed after the legislature failed to make a deal during its spring session, agreed to a map. The state Supreme Court took issue with the composition of the commission, but adopted the map as “provisional.” The legislature in 1973 enacted an identical map for the rest of the decade.

In 1981, neither the legislature nor the commission could agree on a map. Republican Jim Edgar, the secretary of state, pulled the name of a Democrat, and the Democrats drew the map. The state Supreme Court and a federal court adjusted that map in response to challenges.

And in 1991, the legislature passed a map, but then-Gov. Edgar vetoed it and lawmakers failed to override. The commission could not agree. Ryan, then secretary of state, picked a Republican and the GOP drew the map. The state Supreme Court, which had four Democratic and three Republican justices, at first rejected it. The court remanded the map to the commission, ordering that it be redrawn. The commission’s revised plan was then approved. Justice Joseph Cunningham, a Democrat, voted with the court’s Republicans.

So the mechanism designed to motivate early action and compromise on representational maps has become the equivalent of a coin toss to decide which team has the home field advantage.

“It’s beyond the home field advantage,” says Rep. Tom Cross, an Oswego Republican and former chair of this year’s commission. “When you talk about a home field advantage, at least you still have a shot at winning the game. This ends up becoming an all-or-nothing and, depending on what the federal courts do, it’s pretty much over.” □

BRIEFLY

Chicago, September 11, 2001

By that Tuesday afternoon, the major thoroughfares of the Midwest's financial center were all but deserted. The floors of the trading markets were silent. And newspaper hawkers were selling rare "extra" editions. It was eerily quiet, says photographer Jon Randolph, who documented some of what he saw in Chicago's financial district on the day terrorists attacked New York and Washington, D.C.



CORN TO FUEL

Farmers cultivate a piece of the market

Some northwestern Illinois farmers are taking on the giants in the fast-growing field of ethanol production.

They're part of a 250-member co-op of farmer investors, including a number who live across the border in Wisconsin, that has decided to build its own ethanol plant in the Stephenson County town of Lena.

Though fairly common in other grain-producing states, Adkins Energy LLC is the first farmer-owned ethanol plant in this state.

"It's been a slower process in Illinois," says Mark Lambert, president of the Illinois Corn Growers Association. "Banks have been hesitant to loan money because they weren't sure co-ops could compete with the large ethanol facilities in this state."

Illinois produces 45 percent of the nation's ethanol at four plants. The largest, Decatur-based Archer, Daniels and Midland Co., has two plants, one in Decatur and one in Peoria, which produce nearly 40 percent of the state's market share.

In August, the \$68 million Adkins co-op won a \$280,000 Illinois First grant. That's on top of nearly \$3 million the state already has given the co-op.

When it goes online next October, the plant is expected to use 14.5 million bushels of corn and produce 40 million gallons of ethanol each year. It also will sell corn byproducts that can be used in plastic or as food additives.

The timing appears to favor such a project. Gov. George Ryan signed legislation over the summer that outlaws the fuel additive MTBE, an oil-based ethanol competitor that has been found to contaminate groundwater. Further, an August U.S. Environmental Protection Agency ruling left California with ethanol as

the only alternative to meet Clean Air Act requirements. Ethanol supporters argue it not only meets the oxygen additive requirements, but also reduces dependence on foreign oil and burns cleaner than straight gas. And corn producers expect government decisions favoring ethanol to increase demand over the next four years as California and the Eastern Seaboard join the market. That could mean billions of dollars in additional revenue for this state's farmers.

Illinois ranks second in the nation for corn production, with 1.7 billion bushels harvested in 2000,

according to the Illinois

Department of Agriculture.

"The ethanol plant in Lena," says department spokesman John Herath, "is a great example of the state helping producers

get more out of the commodities they grow and providing a good, clean renewable alternative to MTBE and other fuels."

In fact, the Adkins Energy co-op is just the beginning of a trend toward more farmer control of the end product of their business, says Lambert of the Corn Growers Association. Thirteen other farmer groups around the state are looking into forming energy cooperatives to produce ethanol from their corn.

"Farmers are finding ways to add value to their product by moving farther up the marketing chain," says Lambert. "It really is a David-and-Goliath success story."

Beverly Scobell

Maize mazes

Playing in cornfields can be a lot of fun for children of all ages.

Illinois farmers are taking note. Through the end of the month, some are granting permission to run through the tall stalks — even challenging visitors to try to find their way out.

Cutting mazes — some simple, some complex — into cornfields has even become a secondary source of income for a few grain farmers. The Hill High Farm in Spring Grove claims to be the world's largest corn maze. It has 7.3 miles of trails that wind through 18 acres of corn. The maze depicts a caricature of the owners, Margaret and Owen Richardson, in a farm setting with a barn, tractor and animals. Keller's Farmstand in Plainfield has a 10-acre Abe Lincoln. Tanners Orchard in Speer has a version of the state Capitol to roam around in.

Other Illinois corn mazes can be found in Malta, Godfrey, Pekin and Ottawa. Several offer visitors hayrides, storytelling, pumpkin patches and haunted barns.

Beverly Scobell



QUOTABLE

“Water is a fundamental necessity of life, and water flows uphill toward money.”

Michael Donahue, executive director of the Great Lakes Commission, to St. Louis Post-Dispatch reporter Bill Lambrecht on “threats” of water diversion from the lakes. The commission is conducting research to determine how proposals to transport water to other regions of the country and even abroad must be handled legally in lieu of liberalized international trade rules that might permit water exports.

BRIEFLY

ILLINOIS TOBACCO The once and future crop

Illinois is again producing tobacco.

Although the current crop pales in comparison to the state's yields in the 19th century (see *Illinois Issues*, October 1997, page 4), the tobacco now growing on 700 acres in southern Illinois is unusual. Planted for the Vector Group of North Carolina, this tobacco has been genetically altered to produce lower nicotine levels without affecting taste. In fact, only trace amounts of nicotine have been found in the leaves, and no trace of nicotine shows up in the blood streams of those who smoke it. Vector's hope is that such tobacco will be nonaddictive and will serve as an aid for smokers who want to quit.

In short, the group aims to make a "safer" cigarette. They also may be producing one that could make itself obsolete.

To date, the Vector Group has

planted approximately 5,000 acres of the new tobacco nationwide. Most of the crop consists of 3,300 acres in Pennsylvania, but the company has fields as far south as Louisiana and as far north as Iowa.

Vector officials are cultivating the new tobacco plants in eight southern Illinois counties, including Saline, Marion and St. Clair. The climate in that region is well-suited for the crop.

In fact, tobacco has a long history in Illinois. In 1839, Illinois produced the nation's ninth biggest crop, at roughly half a million pounds, according to the U.S. Department of Agriculture. Production shot up in 1859. The Tobacco Institute reports that on the eve of the Civil War, Illinois farmers

produced seven million pounds worth \$623,000. A fourth of the crop came from Williamson County. Saline County also was a big producer. But by 1880, the harvest had declined.

Vector officials aim to change that. The new Omni cigarette is expected to go into production in early 2002.

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SPOTLIGHT Little foxes

Photograph by Todd Gosselink



As the state's vast fields of corn, turned green to gold, are harvested, Illinoisans may see more flashes of red on the fall landscape. Fox pups, born last spring, are venturing out of their dens just as farmers are bringing in their row crops.

These rusty-red, bushy-tailed members of the dog family are an important part of the state's ecological balance, but people, disease, and their competitive cousin, the coyote, may be reducing their numbers.

"Survival is hardest for the juveniles," says Todd Gosselink, a graduate research assistant with the Illinois Natural History Survey's Center for Wildlife Ecology.

The center's research, supported by the Illinois Department of Natural Resources' Furbearer Fund, shows that nearly half of young foxes don't make it to adulthood. Of those, about a third are killed on roadways. Most are done in by coyotes.

There's another, more indirect impact on the red fox, says Gosselink. An increase in the coyote population over the past three decades has forced the fox to live closer to humans. As the fox is pushed from its normal territory along the fringes of human population — old barns, culverts and timber edges — into towns and subdivisions, it encounters more disease. The survey found that mange most often kills those young foxes.

Beverly Scobell

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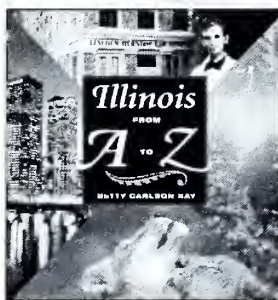


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BRIEFLY

CHICAGO READS

Building "community" with books

The Chicago Public Library has been getting international attention, calls from as far away as Australia and Japan, and all over a single book.

In One Book, One Chicago, part of the library's annual Chicago Book week, every city resident will be encouraged to read *To Kill a Mockingbird*. Officials say it's an effort to build a citywide book club of sorts. Every month the library hosts as many as 40 community book clubs throughout the city, but this occasion marks a first.

During the second week of this month, 20 forums are scheduled to meet in the library's neighborhood branches, and another five are scheduled in Starbucks coffee shops, all of them dedicated to discussing Harper Lee's novel.

The selection, one of Mayor Richard M. Daley's favorites, was chosen to

enhance the event's overall objective. "It has such enduring lessons about justice and growing up in a small community," says Mary Dempsey, the city's library commissioner. "And Chicago has many small communities."

Indeed, "community" is the watchword behind all of the city reading campaigns. Chicago Public Library officials were inspired to venture into One Book, One Chicago by a similar campaign launched four years ago by the Seattle Public Library's Washington Center for the Book. Seattle first read Russell Banks' *The Sweet Hereafter*, a tale about surviving the loss of a town's children. This year, Seattle shifted to Molly Gloss' *Wild Life*, which focuses on a woman lost on Mt. St. Helen's for a month.



The center's executive director, Nancy Pearl, says the objective of that city's reading campaign has been to "bring together people who think they have nothing in common and show there's a universal bond between them."

Other cities have followed Seattle's example. Among them are New York's Rochester and Buffalo, and Boise, Idaho, where residents are reading Marilynne Robinson's *Housekeeping*, a book about women who struggle with the bounds of convention.

Meanwhile, Kentucky chose to make group reading a statewide event. Nearly 10,000 Kentuckians read Barbara Kingsolver's *The Bean Trees*, about a young woman who leaves home and becomes responsible for a child. Ryan Reeves

— PAID ADVERTISEMENT —

Video Gaming—Economic Boon for Government & Business

By Steve Riedl, Executive Director of the Illinois Licensed Beverage Association

Legalizing limited wagering on video poker machines in liquor pouring establishments would provide economic stability for roughly 15,000 small businesses that employ approximately 150,000 Illinois citizens. Simply put, this proposal may well be the most significant economic development package Illinois has ever considered.

This proposal was painstakingly constructed to restrict access to minors, and halt the tide of illegal gambling and the political corruption that goes with it—just as the lottery did for the numbers racket. The machines would only be allowed in liquor pouring establishments. Every machine must be linked to the state via telephone lines for close government monitoring. Any machine that is not registered with the state would be easily identifiable, subject to confiscation and would result in considerable criminal penalties for operators. The proposal dedicates millions of dollars in new revenue for law enforcement and to treat gambling addiction.

This proposal is intentionally designed so the machines are played for fun—not the promise of wealth. Wagers are maintained at a very low level, as are the payouts. Illinois is already the 3rd largest gaming state in the nation. We have the lottery, gaming boats, horse tracks, off-track betting parlors, bingo—the list goes on. Let's not pretend that this proposal would cause Illinois to be a gaming state—Illinois has already accepted gaming as a viable industry.

Increases in liquor taxes and fines, enhanced DUI laws and passage of sweeping protections for wine and spirits distributors (resulting in unprecedented price increases to retailers) have severely reduced retailer revenues. Retailers have streamlined operations and re-engineered the way they conduct business to reduce costs and provide alternate means of income generation—but these changes are simply not enough to keep the doors open.

It is time for government to shift its economic focus to help the small family-owned businesses that are the backbone of this state. This proposal will accomplish this while concurrently providing hundreds of millions of dollars in new tax revenue. Retailers are open to alternate proposals that accomplish the same objectives. My father always taught me not to cast an idea down unless I had a better one. I respectfully ask our elected officials to follow this wise doctrine.

GOVERNOR'S APPROVAL

Home loans Under a new program, the state treasurer will help lower-income individuals secure home loans by pledging up to 10 percent of the home's value in state funds as security for a qualified borrower.

Pupillometer The state Department of Corrections will begin a pilot project to test the pupillometer, new technology that can supposedly tell by reading an inmate's eyes whether he or she is drunk or on drugs.

Train noise Under a new pilot project, Cook, DuPage and Lake counties will test at railroad crossings stationary horn devices that emit less sound than train whistles. Trains then would not be required to sound their horns at those crossings.

Nursing mothers Employers now must make reasonable efforts to provide unpaid break time and space for nursing employees to express breast milk.

Drug courts The state's circuit courts now have a framework for creating drug courts — special courts for dealing with drug offenders. Cook and 10 other counties already have such courts. The state is following their lead.

Helping paws A program pairing dog companions trained by prison inmates with disabled people is now an official part of the state's correctional industries program. A companion bill to help finance the program failed, but the corrections department is proceeding with existing funds (see *Illinois Issues*, March 2001, page 8).

Aaron Chambers

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BRIEFLY

PRESS BOX

Testing teachers and subsidizing farmers

The Chicago Sun-Times finds that Illinois' neediest schoolchildren are more likely to wind up with teachers who have failed at least one state competency test.

Reporters Rosalind Rossi and Kate N. Grossman analyzed certification records for every public school teacher who taught full time last school year and has been tested since 1988. They found that 5,243 teachers employed last school year failed at least one competency exam, and that last spring those teachers taught more than 180,000 Illinois public schoolchildren. Further, according to their exclusive examination of state records, those children who attend the lowest-scoring, highest-minority, highest-poverty schools were roughly five times more likely to wind up with teachers who were unable to prove

basic competency to the state.

Rossi and Grossman write that "the vast majority of failing teachers eventually passed their tests, but hundreds never did and taught anyway."

The series of stories, which ran in that newspaper over three days in early September, has sparked a response. State Sen. Daniel Cronin, an Elmhurst Republican, told the *Sun-Times* he will convene hearings on the problem next month. Rossi and Grossman report that Cronin, head of the Senate Education Committee, wants to test and retrain the state's weakest teachers and give "proven, crackerjack" teachers to those students who need them most.

Public schoolteachers must pass a Basic Skills test and a subject matter test to get a regular, or "initial," Illinois teaching certificate. But, Rossi

and Grossman write, loopholes in state law allowed some to teach without passing all of their tests. And, according to their analysis, "One teacher failed 24 of 25 tests. In Chicago, one of every 10 teachers tested flunked a Basic Skills test so easy that a high school freshman should be able to pass it."

The newspaper found that, statewide, 868 teachers, including 635 in Chicago, had flunked — and never later passed — the Basic Skills test. Nearly 74 percent of those flunkers taught in Chicago public schools.

"Despite studies showing teacher quality counts," Rossi and Grossman write, "Illinois conducts no annual reports on the percent of teachers without at least 'initial' certificates, obtained by passing a Basic Skills test and a subject matter test."

Copley News Service reports that more federal farm subsidies are flowing into Illinois than any other state except Iowa and Texas, but those dollars are going to fewer farmers as ownership of the state's agriculture acreage becomes more concentrated.

The report by Dori Meinert and Chris Newmarker of Copley's Washington, D.C., bureau cites a study by the Environmental Working Group, a Washington, D.C.-based advocacy organization. The findings of the study were based on data from the U.S. Department of Agriculture.

Despite the 1996 "Freedom to Farm" law designed to phase out subsidies, Illinois farmers received \$5.6 billion in federal payouts over the past five years. Almost 60 percent of those dollars went to just 10 percent of Illinois' farmers or landowners.

Even nonfarmers can harvest subsidies, the reporters note. All that is required is title to acreage on which certain crops are grown. The University of Illinois ranked fifth in the state in subsidies, receiving \$1.7 million for the 11,000 acres it owns and rents to farmers.

Congress is poised to overhaul federal farm policy. "That debate," write Meinert and Newmarker, "is expected to pit small family farmers against large corporate farms."

NEWS BITES

Governor's pension, political domain names

The Chicago Sun-Times reports that Gov. George Ryan's state pension will be greater than his government salary. Ryan's annual income as the state's top official is \$150,691, but *Sun-Times* reporters Tim Novak and Dave McKinney figure he'll leave office in January 2003 with an annual pension of \$128,087. And, according to their calculations, Ryan's pension will "soar" to \$178,041 one year later, then increase 3 percent every year after that.

Ryan is a member of the General Assembly Retirement System. Members of that system who serve 20 years are entitled to collect up to 85 percent of their final government salary beginning at age 55. They also are entitled to get an extra 3 percent for each year they work after age 55, the *Sun-Times* reports. When Ryan retires, he will have 13 years of extra credit, but he'll have to wait a year before he collects those additional benefits. Beyond that, he will get a 3 percent cost-of-living increase each year.

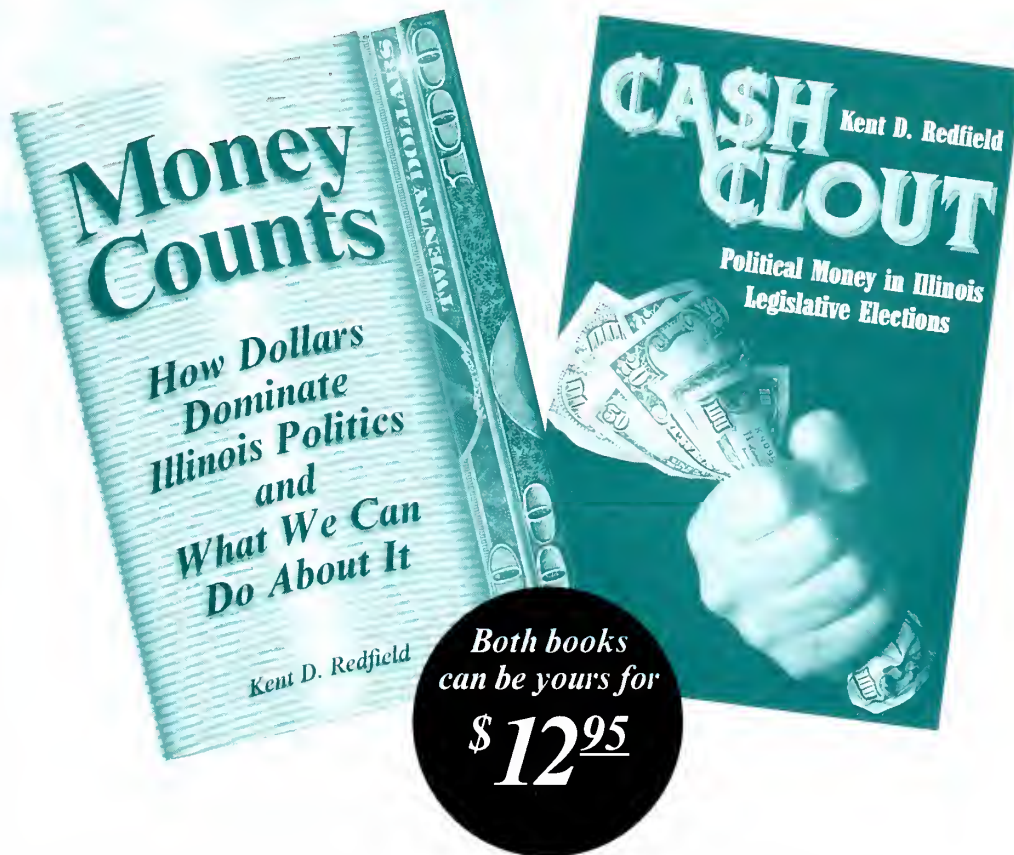
Ryan would not discuss his retirement finances.

The Associated Press reports that opportunists have gobbled up Internet addresses, known as domain names, related to the 2002 Illinois governor's race. AP reporter Nicole Ziegler Dizon, who made an online search of purchase records, reports that some buyers saw a potential for profit, while others saw a potential for political mischief.

An unregistered domain name usually costs between \$8 and \$35 a year. But Ziegler Dizon writes that Steve Jones, a University of Illinois at Chicago professor and president of the Association of Internet Researchers, says political domain names can be lucrative because politicians are always interested in protecting their names.

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The new immigrants

by Dave McKinney

*An increasing number of families
plot their route to the American Dream
by way of Illinois' suburbs and small towns*

Hector Lamas can buy a pair of shoes without using his entire paycheck, a small but sure step toward achieving the American Dream. To take that step, he left Mexico in 1994, arriving a short time later in Fairmont City, barely a dot on the road map.

Lamas, 32, supervises about 45 people at a produce company in St. Louis, a good job in a place he'd never live. Missouri's largest city is "too noisy" and unsafe, he says. Instead, he, his wife and their two children live about 10 minutes away, across the Mississippi River in an Illinois town where there hasn't been a murder in years and where there are more baptisms than in any other Catholic parish in the Metro East region.

"It's like a good neighborhood around here. You feel free to go anyplace, anytime. At 10 or 11 at night, you can walk on the streets. There is no problem. No nothing. This is why we try to live here," he says.

Lamas isn't alone in this attitude. Fairmont City is drawing an increasing number of Mexican immigrants who are choosing to bypass the urban neighborhoods of St. Louis and settle in southern Illinois. As a result, Fairmont City's Hispanic population has more than doubled since 1990, making whites the minority for the first time. A community that was home to European immigrant meatpackers in the 1930s now nurtures wave after wave of Mexicans seeking a better life.

Fairmont City has undergone a jolting transformation, but it's a transformation that's taking place across the

state. Illinois' Hispanic population has grown by 69 percent since the last statewide head count, and these immigrants have been joined by other groups. The state's Asian population has grown even faster, by 70 percent over the last census. This infusion of new residents helped reverse five decades of population losses in Chicago. But an increasing number of immigrant families have plotted their route toward the American Dream by sidestepping urban neighborhoods, where crime is high

there, he migrated with his wife to Aurora, west of Chicago, and works as a software engineer at Lucent Technologies in Lisle.

Demographers and immigration advocates have begun charting this border-to-suburb trend, and census data expected next year likely will bear out their findings. The most recent estimates have shown that more than four out of every 10 new immigrants in Illinois locate in a suburb first, instead of in more traditional immigrant-friendly places like Chicago's Pilsen or

Ukrainian Village neighborhoods. And that means diversity is spreading throughout the Land of Lincoln. Immigrant groups expect the census data to show that as many as one in two immigrants are bypassing urban centers for their first home, which would be a historic high.

"We've seen a big surge in the immigrant population in the central city. However, you'll find an even greater amount scattered in the suburbs," says Scott Deuel, a Chicago-based geographic coordinator for the U.S. Census Bureau.

The reasons for settlement patterns are consistent. Immigrants seek out places where there are the most jobs, where it's safest and where previous waves of immigrant families can act as hosts for those who continue to come to this country. That was true during each of the great immigration waves Illinois has experienced, dating back to the 1800s. But those immigrants moved in mass numbers to Chicago to work in the stockyards or the steel mills,

Illinois immigration in the 1990s

Number of new immigrants: 384,026
99 percent of counties show growth in Asian population

All Illinois counties saw growth in Hispanic populations

Source: Report by the Illinois Coalition for Immigrant Refugee Rights, June 2000



Web resources

Fund for Immigrants and Refugees
www.donorsforum.org/programs/fui/immig.html

U.S. Census Bureau
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and the schools underperform. They're settling instead in the smaller communities that dot the state from Metro East to suburban Chicago.

"The quality of life is better. It's more safe, and there are better job opportunities," says Rajesh Dhawan, a 28-year-old Indian-born immigrant who came to America in the early 1990s. His first destination in the United States was Indiana State University in Terre Haute, where he completed a master's degree. From

The changing face of Illinois



	1990	2000
Total population	11.4 million	12.4 million
Hispanic of any race	904,446	1.53 million
White	8.55 million	8.42 million
Black	1.67 million	1.86 million
Native American, Alaskan	18,213	18,232
Hawaiian, Pacific Islander	1,912	3,116
Asian	273,656	419,916
Other races	8,464	13,479

Source: U.S. Census Bureau

creating close-knit ethnic communities within the larger city. Now, the suburbs outside older urban centers are becoming the preferred landing point. In the process, the newest immigrants are transforming entire towns.

As Hector Lamas' experience suggests, odds are the breadwinner of a family in Fairmont City draws a paycheck from a nearby orchard, or an auto-shredding firm or one of the processing companies in St. Louis' Produce Row that help put fruit and vegetables in grocery stores throughout the region. By middle-class standards, it's not big money, but it's enough to pay rent that typically runs about \$200 a month. Crime is low, even though the town borders East St. Louis. The rectory doors at Holy Rosary Catholic Church aren't locked, and the mayor compares his hometown of 2,436 residents to Mayberry.

"You look at the tiny shotgun houses and see the families. You feel the love. Even though it might be humble circumstances, there is something you can measure here," says the Rev. David Wilke, Holy Rosary's pastor.

Fairmont City Mayor Alex Bregen, a lifelong resident and grandson of Czech and Polish immigrants, doesn't need a battery of statistics or demographic theory to confirm the shift that has made Fairmont City, on a percentage basis, home to the third-largest population of Hispanics in Illinois behind the Chicago suburbs of Stone Park and Cicero.

"It was culture shock. The [non-Hispanic] neighbors didn't understand," Bregen says, noting that Sundays were a big day for the

newcomers. "Live goats were brought in and slaughtered and hung up for barbecue. In the interim, while the blood drained, everybody would have a soccer match and, afterwards, a roast. It was just a party."

By hiring Hispanic police officers and adopting an open mind that didn't involve writing a lot of tickets, the city gradually educated new immigrants on Midwestern social mores. As a result, longer-term residents became more tolerant. In the meantime, many of the customs brought from abroad began to take hold in the community, the mayor says. "It's been a challenge to us, but now it's to the point where neighbors are accepting neighbors. They are the most helpful, hardworking people you've ever seen," the mayor says of his Hispanic constituents. "It's a whole new birth to this community."

A decade ago, Bregen says, he could name about 85 percent of the families living in the town's 280-some homes. Now he knows fewer, as familiar faces from his childhood have left for more affluent areas. In their places are a new batch of community-loving residents from abroad. "I miss my peers. I occasionally will see some of my old high school and grade school chums. I wish they were still living here. But, no exaggeration, probably less than a dozen [non-Hispanic] people between the ages of 35 and 45 — people basically my age — still live in this community and are still raising a family," Bregen says. "It's different. But at the same time, it's pretty much the same. I'm very proud of it."

That trend is reshaping northern Illinois, as well. A study last September

by the Chicago-based Fund for Immigrants and Refugees found that one in seven persons in the Chicago area is foreign-born, amounting to an estimated 628,000 people, with about a quarter of those undocumented. More significant, nearly 42 percent of Chicago-area immigrants live in the suburbs, compared to about 34 percent in 1970. And of those suburban immigrants, the most common country of origin is Mexico, followed distantly by India, Poland and the Philippines.

"About half of all new arrivals are bypassing the city. I think there are several things that act as magnets for new arrivals," says Alice Cottingham, executive director of the Fund for Immigrants and Refugees. "One is [that] the vast majority of immigration is founded in the reality of family reunification. What you have is one person from a family who comes here and moves to a suburb, settles and works and then can bring over other family members. When a family is reunified, that's where the family resettles to. We will see that trend sustain and increase."

Among Chinese immigrants, for instance, Cottingham's view holds. "A lot of immigrants come because they are sponsored by their families," says Angela Wang, social services manager of the Chicago-based Chinese Mutual Aid Association, which recently opened a branch office in Westmont to help the rapidly growing Chinese population in Chicago's western suburbs. "With the Chinese, a lot of them work in the high-tech industry and ... a lot of those jobs are out in the suburbs, so they move directly out there. Once they have gotten their families established, they're bringing over their [extended] families, their parents, aunts and uncles. That's basically how my family moved to the suburbs. Our family was the only Chinese family in the neighborhood for the longest time. But in the past five years, it seems like there's one on every block."

Indeed, suburbia is changing dramatically. Those with low skills have come primarily to manufacturing jobs in the Elgin-Carpentersville area, Aurora and St. Charles, and Waukegan and North

Chicago. But better-educated immigrants are drawn to the wealth of high-tech jobs along Interstate 88, where Lucent and Tellabs, among others, have warmly embraced recent immigrants from India and other Asian countries.

“What happened on the Highway 88 belt is a lot of these new highly educated professionals took jobs at Motorola and Lucent and some other companies, which were located in that area, causing them to settle there,” says Rajinder Bedi, chief editor of *Indian Reporter and World News*, a Chicago-based weekly newspaper serving the Indian-American community. “Once the concentration increases in terms of people who are employed, they need to shop. And there comes the idea of opening grocery stores and restaurants, video stores, stores where they can get general merchandise, luggage, TVs.”

In the western suburbs, Dhawan and others like him can find plenty of Indian restaurants, Hindu temples and several movie screens that showcase the latest films from Mumbai (formerly Bombay) — all oddities just a couple of decades ago. What’s more, subdivisions where one Indian family might have lived in the past are now populated by multiple families with Indian roots.

And the change is bringing the kind of problems most often associated with big cities. Not everyone seeking out the suburbs comes as well-armed with education or decent-paying jobs. The Fund for Immigrants and Refugees report found that 8 percent of suburban noncitizens arriving in the 1990s were poor, almost double the rate for established suburbanites. Twenty-seven percent of immigrants in the suburbs lacked health insurance, triple the percentage of native suburbanites. Many new undocumented arrivals find it difficult to escape that cycle because they live in fear of deportation, leaving them ripe for abuse by unscrupulous employers

Immigration in the suburbs

Foreign-born suburban residents	628,000
Permanent legal, naturalized citizens . . .	459,000
Undocumented immigrants	150,000
Refugees and asylum-seekers	19,000

Countries of origin of suburban immigrants*

Mexico	95,370
India	34,943
Poland	32,977
Philippines	26,647
Korea	16,738
United Kingdom . . .	12,898
Former USSR	11,095
Former Yugoslavia . .	10,496
China	7,812
Ireland	6,664
Pakistan	5,759
Romania	3,348
Vietnam	2,942
Jordan	2,756
Iraq	2,678
Guatemala	2,331
Other	107,518

Source: August 2000 Report
of the Fund for Immigrants and Refugees
*1996



and making them hesitant to report crimes against them to police, advocacy groups say.

“It is really hard to find someone who will give their story to a reporter because they’re in fear that immigration might seek them out,” says Monica Vasquez, an immigration consultant with the Spanish Center in Joliet, one of the few local resources in that suburb for immigrants and migrant workers. “We have asked individuals before whether they wanted to tell their story, and most do not. That fear is still

there. It’s hard for them to be so trusting.”

Certainly, those who don’t grasp English have it the worst, whether they migrate to a city or the suburbs. New census data showed that 11 percent of Illinois households speak Spanish at home, compared to 7 percent in 1990. An informal survey last May by the *Chicago Sun-Times* found numerous civic and corporate institutions poorly equipped to handle Spanish-speaking callers seeking hours of operations or directions. Chicago’s Navy Pier, the Cubs and White Sox, the Naper Settlement in Naperville and even the newspaper’s own switchboard flunked the test.

“What the increase in numbers in the 1990s means are things like this,” says Cottingham of the Fund for Immigrants and Refugees. “On the positive side, we have a sense that Illinois is a crossroads of the world, and globalization that all of us think about is very present in our daily lives and neighborhoods. On the negative side, we have a whole set of systems that are highly stressed by the need to catch up with these very rapid demographic changes that are happening.

“Health care is a good example. Federal civil rights law requires health care providers to make their services available to people in the language that they speak. It’s a wonderful

mandate and civil rights value. But there’s no funding to make that easier for providers to do that. With very few exceptions, health care systems are really struggling to catch up with this. It’s very evident in the suburbs and, I suspect, downstate, where there aren’t a lot of bilingual support people in the system,” Cottingham says.

Political influence has been slow to follow the rise in immigrants. They have yet to gain a strong voice in Springfield. A handful of minority lawmakers continue to propose legislation aimed

at helping the state's rising immigrant population, but it mostly languishes. One exception was the highly organized effort by Muslim groups in Chicago's southwest suburbs to win passage of a law requiring food labeling standards for their faith. Lawmakers approved the measure last spring and the governor signed it over the summer. Other proposals — to license undocumented resident

drivers, give Mexicans in-state rates on college tuition and make it easier for immigrants to report crime — stalled at the Statehouse, frustrating legislative sponsors.

"By punishing a group of people so large, we'll end up hurting ourselves," says state Rep. Susana Mendoza, a Chicago Democrat who helped draft legislation that would have allowed Mexicans to attend Illinois colleges at

reduced cost. "We're not contributing to a better-educated workforce. When people have a job and an opportunity of following their dreams or attaining their goals, crime and every other negative statistic will fall. But when no options are given, you end up hurting society overall."

Most analysts say the dynamics driving immigrants to choose smaller towns and suburbs aren't likely to

Photo essay

One market makes the



By photographer Jon Randolph

Located off the I-88 high-tech corridor, the neighboring communities of Naperville and Lisle are home to thousands of Asian immigrants. The 2000 U.S. Census reports that nearly 10 percent of Naperville's 128,000-plus residents are of Asian descent. And so shopping in these suburbs can be a truly multicultural experience. A strip mall on Maple Street in Lisle, for instance, has an Asian beauty parlor, a Korean video store and the Central Food Market, which stocks seaweed and sushi.



change anytime soon, meaning more Illinois communities could experience double- and triple-digit percentage growth among foreign-born ethnic groups. If those population forecasts prove true, immigrant interests inevitably will become a higher priority as Hispanics and Asians get a greater voice at the state Capitol and within the state's congressional delegation.

For now, they are helping to reshape

northern, central and southern Illinois.

After four years of English classes in Fairmont City, Lamas has mastered the language well enough to carry on a fairly seamless conversation with a unilingual interviewer. Amazingly, he says he has never heard of the concept of the American Dream. Arguably, he is beginning to live it. While he still occasionally pines for his old neighborhood and friends in Mexico

City, he knows he is far better off here. Why is Fairmont City preferable to his homeland? he is asked. "Everybody, the money, the opportunity you have to give your family something better," he says. "These are the reasons we are here." □

Dave McKinney is Statehouse bureau chief for the Chicago Sun-Times.

world a little smaller



Ye Kyoo Choi draws Asians and Anglo Americans alike to his Central Food Market, located in an Asian strip mall in Lisle, a DuPage County suburb bordering Naperville. On his shelves, he stocks garlic and ginger, cuttlefish and Korean kimchi. Here, a shopper can find multiple mushroom varieties, oyster and enoki to name a few. Multiple cultures are represented by his stock of sweets.

Naperville, meet Asia

Amid its Big Mac drive-throughs and big lot car dealerships, a booming Chicago suburb makes room for dim sum and ornamental swords

by Stephanie Zimmermann

A couple of decades ago, Naperville's teachers were unlikely to encounter a child carrying an ornamental sword to school, or a parent who doesn't understand that an art shirt is a painting smock, or a

boy getting teased because his first name is Fuk, a good luck word in Chinese.

But these days such cultural collisions are regular occurrences in the far western suburb of Chicago.

"The world is changing," says Miriam Yeung, curriculum coordinator for the English as a Second Language program in Naperville School District 203, which counts among its students



Indians, Pakistanis, Koreans, Chinese, Taiwanese, Japanese, Indonesians, Cambodians, Thais, Vietnamese and Laotians. "This is happening not only in Naperville, but elsewhere in the country."

Once a quiet prairie town, and in 1980 a growing suburb of 42,346 people, Naperville has ballooned in the last two decades. The DuPage County suburb had 85,351 residents in the 1990 U.S. Census and 128,358 in the 2000 count.

That population boom includes a significant migration of Asian people, many of them highly educated professionals lured by the area's technology jobs. Naperville's Asian and Pacific Islander population was 1,179 in 1980 and 4,133 in 1990. In 2000, when Asians were counted separately from Pacific

Islanders, there were a whopping 12,380 Asians in Naperville, or about 9.6 percent of the total population.

At a time when the state and national Asian populations climbed, more Asians moved to Naperville than to any other Chicago suburb.

Now, alongside one of the many McDonald's or car dealerships, a visitor is increasingly likely to find an Indian restaurant, a Korean video store or a Chinese grocery selling freshly prepared dim sum. On venerable Washington Street, there are trendy painted giraffe statues, a Restoration Hardware shop, the hip-looking Samba Room — and the Chinese-oriented Truth Lutheran Church, which took over the town's old Nichols Library and put up a sign on the lawn in Chinese

characters. At Naperville's City Hall, residents will find a list of translators who speak, among other languages, Cantonese, Mandarin, Gujarati and Urdu.

"The whole community has become more diverse in many, many ways," says Gary Karafiat, Naperville's community relations manager, who points to the city's jobs, schools, low crime rate and housing as reasons for the influx. "People of all different ethnic groups think, 'Hey, that's such an attractive community to live in.'"

Mayor George Pradel, a resident since 1939, says the 8,000-plus Asians who have arrived in the last decade are fitting right in.

"When we first got here, there was nothing but farms and I had no vision that things would look like



The scene on Maple Avenue is being played out increasingly across Chicago's suburbs, which saw a surge in Asian migration in the last decade. Asians moved from the city to the suburbs at a higher rate than other minority groups.

they do now," the mayor says.

Mary Liaw, chairwoman of the physics department at North Central College in Naperville, still visits Chicago's Chinatown occasionally. Not that she needs to. The Asian strip mall on Maple Avenue, just outside town near Kennedy Junior High, has everything she needs. There's a Korean video store, an Asian beauty

parlor and the Tokyo Restaurant, which serves sushi and Korean food. There's also Susan's Place, which serves everything from grilled cheese and corned beef to moo shu pork and Szechuan chicken. The crown jewel is the Central Food Market, which stocks aisle after aisle with Chinese candies, Japanese cookies and Korean kimchi, as well as dried seaweed, cuttlefish, noodles, sushi, grains, Korean cabbage and enoki mushrooms.

"I feel very welcome here," says Liaw, who came to the United States more than 30 years ago from Taiwan and moved to Naperville in the 1980s. But she says the warm feeling comes from more than just the Asian influence she sees in town.

It's also the acceptance she enjoys as a Napervillean. Her children babysat for the littler kids in their neighborhood. Now grown up, those kids mow Liaw's lawn. "All our neighbors are good friends."

The scene on Maple Avenue is being played out increasingly across

Chicago's suburbs, which saw a surge in Asian migration in the last decade. Asians moved from the city to the suburbs at a higher rate than any other minority group and have established themselves in such places as Schaumburg, Skokie, Hoffman Estates, Mount Prospect and Glendale Heights. Many others, like Liaw, have bypassed the city entirely and moved straight to the suburbs.

Though still small compared to the area's African-American and Hispanic populations, the Asian population is the fastest-growing in the suburbs, says Max Dieber, director of research services for the Northeastern Illinois Planning Commission. It's easy to plot their distribution on a map: Just follow the jobs-rich I-88 and I-294 corridors.

Some 65 percent of the total population of Asians lives in the suburbs, about the same rate as for the Chicago area population as a whole. "It probably has a lot to do with them being economically driven and not discriminated against."



Dieber says. By contrast, many more African Americans and Hispanics have remained in Chicago.

Of the area's burgeoning Asian population, the fastest-growing group is Asian Indians, which includes Pakistanis. In Naperville, Asian Indians account for about 41 percent of the Asians, while Chinese account for about 34 percent. There are smaller numbers of Koreans, Filipinos and other Asians.

Statewide, 423,603 Asians were counted in the last U.S. Census. While that's just 3.4 percent of the state's total population of 12.4 million, their numbers are up substantially, from 282,569 or 2.5 percent of the statewide population in 1990. In the six-county Chicago region, Asians make up about 4.6 percent of the total population. In Naperville, they are about 9.6 percent of the population.

Outside Chicago, there are some working-class Asian enclaves, such as the Vietnamese-Laotian-Cambodian presence in the Elgin area. But the

Asians who have settled in many of the western and northwestern suburbs are middle- to upper middle-class professionals who share the same dreams about suburbia as their predecessors of mainly European descent.

"The population [in Kane, DuPage and Cook counties] is immense," says Robert Wheeler, interim associate provost at Northern Illinois University in DeKalb and chairman of the school's Presidential Task Force on Asian Americans. "There are a lot of students. They are bright, well-motivated — their parents care about education."

In the Naperville area, some of the biggest-drawing employers, before the recent economic slump, have been Lucent Technologies, Motorola, Tellabs and Amoco. Jobs in high-tech industries, which recruit in countries such as India and Pakistan, account for many of the more than 8,200 new Asian residents in Naperville over the past 10 years, the highest raw growth of any suburb. "It's an extremely

supportive environment," says Frini Sundararajan, a native of India and director of software development at Lucent.

Sundararajan is involved with the Asian American Association for Advancement at Lucent, a 1,200-member employee organization. The group educates its members in local corporate culture and exposes the larger community to Asian culture. It holds mentoring programs, career seminars and drama, music and food events. Members include Chinese, Indian, Pakistani, Taiwanese, Filipino, Korean and Vietnamese employees.

Because they're all well-educated, interested in technology and — perhaps most important — new to the area, "there's a certain amount of bonding that goes on," Sundararajan says. "If we were in China or India, it might be different, but here we see a lot more in common."

Ajay K. Gupta, a transplanted Indian and a marketing manager at Lucent, agrees. "I think that diversity



There are plenty of chances for misunderstandings, such as when a Sikh boy from India had to stay out of school for a week while his parents were persuaded that his ceremonial sword would violate the school's no weapons policy.

brings out the best in all of us," Gupta says. "We work very closely. It's a very tight group."

While their parents find professional acceptance, Asian children in Naperville have their own support systems. Children from Chinese families have their choice of several weekend "Chinese schools" where they can keep alive the spoken language, character writing and culture of their parents.

Linda Gao, chairwoman of the math department at North Central College in Naperville and an eight-year resident, says her son's Saturday afternoon Chinese class at Kennedy Junior High was just one reason she felt welcome in Naperville. "When I moved to Naperville, it just had a settling feeling, that I can settle down here. It's wonderful," Gao says. The white parents in her neighborhood "all value their children's education very much, like we do. We have lots to talk about."

Yeung, who is with District 203 where 10 percent of the students are Asian, finds that many Asian families choose Naperville precisely because of the schools.

Many new arrivals have done extensive research on each school's test scores before they go house hunting.

Even so, there are plenty of chances for misunderstandings, such as when a Sikh boy from India had to stay out of school for a week while his parents were persuaded that his ceremonial sword would violate the

school's no weapons policy. Or when the parents of the Chinese boy named Fuk had to be gently nudged into choosing a nickname.

One Korean parent, after receiving a letter from a teacher asking her to provide an old shirt to be used as an art shirt, called Yeung in utter confusion. "There was a long silence on the phone and the parent says to me, 'I looked up the word "art" in the dictionary and I looked up the word "shirt" in the dictionary, but there was no art shirt,'" Yeung recalls.

In another incident, several minutes into a meeting where Yeung was discussing the ESL (English as a Second Language) program, the parents raised their hands in exasperation. "What is ESL?" they wanted to know.

Those stories, while perhaps embarrassing for the people involved, show the lighter side of what happens when cultures don't as much melt as collide.

And while there haven't been any reported incidences of violence between white and Asian residents, not everyone's experience has been smooth.

Michael Sue, now a second-year law student at Northern Illinois University, spent much of his childhood in Naperville beginning in the mid-1980s. "When I went to junior high, there were very few Asians," Sue recalls. "In the yearbook there were maybe six of us."

His parents, who are of Chinese descent but were born in the United States, never sent Sue to the weekend Chinese schools, instead wanting him to become more Americanized, he says. Though Sue was a third-generation American, some of the white kids called him such names as "chop saki" and told ethnic jokes. "I would get made fun of by the kids. Now, because there are so many Asians in Naperville, you wouldn't get that at all anymore," he says.

Gupta, the Lucent marketing manager, remembers being called "camel jockey" when he was new to this country in the 1970s. But that sort of thing doesn't happen these days, at least not in Naperville, he

says. "I've lived 27, 28 years in this country, more time than I've spent in India. I feel that I'm a true American. If something is wrong, I stand up for my rights," he says.

Interestingly, Sue says some of the longtime Asian residents like himself feel little kinship with the new arrivals. Sue's family has spent as much time in Illinois as some of the entrenched Irish or Polish politicians made famous in Chicago. "They stay separate," he says of the "new" and "old" Asians. "I think it has to do with being Americanized and blending in."

He says that while the suburb has grown more cosmopolitan, "I still think of Naperville as more white, 'Leave It to Beaver,' conservative." Some of the longtime Asian residents have strived for that ideal. "Most of my Asian friends, they're all Republicans, conservatives," Sue says.

Yet, while many Asians share white Napervillians' political attitudes, Asians haven't jumped into the local political scene in earnest. One is serving on the transportation advisory board and one is on the library board. "Very, very few have volunteered for boards," Mayor Pradel says. "I'm not sure that that's their goal. They take part in the community, but they also take part in their families."

Jimmy Lee, assistant to Gov. George Ryan for Asian-American Affairs, says that's true across the state. "I think in a lot of ways it is kind of a cultural thing," he says. "Some of it may also be due to the fact that they don't know it's out there."

Still, the Asian residents of Naperville and other suburbs stand a good chance of fitting in with these historically white towns. Strip away race, and they are people who want nice homes, well-paying jobs and a good education for their children.

"People really, truly are the same everywhere," Yeung says. "They'll pay their taxes, they'll keep up their lawns. They just want a better life." □

Stephanie Zimmermann is a reporter for the Chicago Sun-Times.

CROSSING THE CHASM

A bicultural couple takes on two vastly different superpowers to make it to the Midwest

By Min Potthoff

It's a good thing Ken and I love each other. Our bicultural marriage has alienated me from many of my fellow Chinese and thrown us into battle with the strikingly similar bureaucracies of two vastly different superpowers.

Even after a couple of years in America's heartland, the memories of our courtship in Shanghai and the obstacle-filled journey to the Midwest still cause pain — particularly when they are stirred by disapproval from those we have encountered in the Chinese community here. But I want to share our experiences because I believe they will enhance mutual understanding.

Return with me for a moment to the bustling streets of my native Shanghai. As Ken and I leave our apartment compound, several passers-by greet us with sarcasm-laced "hellos." We ignore them and keep walking down the grimy street filled with bustling vendors, pedestrians and bicyclists. Some stare. Others peek at us, gossiping in all kinds of dialects.

During a stop at the supermarket, Ken and I decide to shop separately for a while. As I put a lemon in a plastic bag, a dry old man's voice catches me unguarded. "You know





he is a foreigner?" The man must think I do not understand the Shanghai dialect because he repeats the question, this time in Mandarin Chinese. I am speechless and yet cannot help feeling sorry for him. He is judging the world by his own outdated standards. "Is everything OK?" Ken asks. He must have caught the word "foreigner" as he made his way toward me. "Oh, no big deal," I reply. "This man just wants to make sure I realize you are not Chinese."

Unfortunately, this was only one of the many experiences I could share about what life was like for us as our relationship formed and flourished in China. Ken and I met at my university where he was an instructor in English. First we became close friends. We found each other easy to talk with, and it was refreshing to share our experiences and thoughts. We found ways to celebrate together our appreciation for creativity in film, music and literature. We could connect with one another by expressing our love for our families. Perhaps more important, our relationship soothed my own feelings of alienation.

I felt like an outsider in my hometown even before knowing Ken. I cannot stand crowds, staring or nosiness, three staples of living in

Shanghai. And it worsened for me after Ken and I became a couple. Shanghaiese have accepted Westerners living and working in Shanghai; yet they have a hard time understanding and accepting Westerners mingling with Chinese outside of the work world. To many Chinese, dating an American is equivalent to obtaining a visa to go abroad and live a life of affluence. Typically, young Chinese women in search of such a lifestyle find old American men. Ken and I did not fit that stereotype, which made us even more visible.

Beijing was more hospitable than Shanghai. I began working there for a government-operated news agency after graduating from the university. When Ken also landed a teaching job in Beijing, we were excited — until we discovered that an American citizen cannot marry a Chinese government employee.

At that point, we decided to go to America. But the decision was not without trepidation and consternation, as we faced formidable bureaucracies in both nations. I had no way of knowing what would happen if I decided to break the five-year contract with the news agency. Every citizen of China has his or her "personal files" stored at the human

resources department of his or her employer. The personal files record everything important about a person from birth to death. If his or her performance at school or on a job has been "dissatisfying," it is duly noted. The files go wherever the citizen goes, and without it, nobody can meet education, employment and housing needs — or leave the country. If I broke my contract, would it be more difficult to get my passport and visa?

Indeed, negotiating with the Chinese bureaucracy is similar to dealing with its American counterpart. If you want to get something done through any bureau or agency, you need to know somebody. There is one key difference: In the United States, if you do not know someone, the process cannot be expedited and you must wait and wait; in China, you will be left in the cold. It took eight months to settle every issue down to every piece of paper, allowing me to come to the United States.

Ken and I might not have had the determination and endurance to handle the equally senseless red tape on both the Chinese and the American sides without the support of some important people in our lives: our mothers and fathers. Ken and I are lucky to have understanding,

open-minded and supportive parents. Ken's parents welcomed me with open arms and did everything they could to help me get a visa. They gave us extra strength to face the hassle, frustration and disillusionment in the eight-month-long march.

Ken got along well with my parents, as well. We had weekly dinners with my parents, venting our frustration as an interracial couple, exchanging freely our views on what has happened to modern China and the Chinese people. Ken felt at ease speaking and practicing Chinese with my parents, even more so than with me.

Probably no other event like our wedding banquet in Shanghai brings back the short but sweet memory of feeling accepted by family and close friends in the place where I was born and grew up. Our 200 guests all stood and applauded when Ken and I walked in. Everywhere we turned, smiling faces greeted us. People enjoyed themselves over speeches in English and Chinese. Frank Sinatra's music accompanied many tasty Chinese dishes. All four parents were there to witness such happiness. Everyone there was cheering for the beauty of our differences. We were thrilled.

But three months later, we found ourselves struggling in an entirely different environment, nostalgic about the love-and-hate relationship we had with Shanghai.

Carbondale and southern Illinois represented a drastic change for both of us. Carbondale is located in a completely rural setting, full of nature and tranquility but lacking the vitality we were accustomed to. We were both spellbound by culture shock. After being born and raised in suburban St. Louis, Ken had difficulty at first adjusting to life in Carbondale. It simply required time to recover, but we did not have that time. With both of us in graduate school, the fast pace in our student life did not allow us to get in touch with the local community. Luckily, Ken's family and friends in St. Louis embraced us. They showed sincere interest in the cultural differences, and I felt comfortable explaining the differences. With them,

I felt being different was considered an asset.

Unlike in Shanghai, however, we had no other interracial couples to socialize with in Carbondale. And though we became close to many in the Chinese community, I still felt the distance. Whenever it came up during conversations with other Chinese that my husband is not Chinese, I was looked at differently. I was not considered for who I am, but as a Chinese woman who married an American man. This prevented me from feeling close to many Chinese.

Although it is a much more subtle feeling of alienation, it is always there, and it stings. Perhaps I was expecting a total change in America, but that was unrealistic. To many Chinese, living in the United States does not make them any less Chinese, nor does it make Ken any less "foreign." Ken and I are still an American and a Chinese. A Caucasian man "taking away" a Chinese woman stirs up the deep insecurity in many Chinese, especially males. I do not mean to be overly protective of Ken or us, but I did not choose to live with the prejudice in China, and I certainly am not going to live with it in America.

Some hard edges in us have just begun to soften. To feel "normal" together in public as a couple is so refreshing. When I say "normal," I mean we feel fairly comfortable, as if we are becoming a part of the society, instead of sticking out. We have started to believe that, given time, many will look at us for who we are. Even the Chinese might become open-minded and happy for us.

Our two cultures appear so different that many Americans and Chinese

find it unimaginable to understand the other. One striking difference is that people here are more tolerant. Perhaps that's because they encounter so many immigrants from other countries. But there are more similarities between the Chinese and American cultures than we thought. I was surprised, for instance, at how highly both value family.

So Ken and I hope more people will reach across what at first appears to be a great chasm. They don't have to fall in love and get married, as we did. But if they would make the effort to bridge that chasm, they would savor the warmth of mutual understanding and help to move us toward a better world. □

Min Potthoff is a master's candidate in journalism at Southern Illinois University.



Political aggravation

The growing list of factors that qualify Illinois defendants for the death penalty is at the center of a widening debate

by Aaron Chambers

Rep. Jack Davis wanted to add one more capital crime. Too many children were being killed, he said, and their murderers should pay with their lives.

The Beecher Republican was trying to convince the Illinois House the time had come to expand the scope of the death penalty statute they had enacted a few years earlier. Child killers, he argued, deserve the same fate as cop killers and contract murderers and the five other types of offenders the legislature had identified as terrible enough to deserve this state's ultimate punishment.

"If you invoked the death penalty for these people, then you certainly should invoke the death penalty as a deterrent factor — and, yes, society demands some vengeance — for those people who have murdered children under the age of 16, and those people who have murdered those children after a history of abusing that child or torturing that child or feeding that child whiskey or drugs to the ultimate demise of that child," he told his colleagues.

Davis evidently was persuasive. The House voted 124 to 30 in favor of his measure. The Senate and the governor agreed. And Illinois added death penalty eligibility factor No. 8.

That was 1981. Since Davis won his case against child killers, state officials have added 12 other kinds of murder to the eligibility list, bringing the total to 20. Murdering a school-teacher or shooting and killing someone from a vehicle, for example, can now qualify a defendant for death.

So can killing a community policing volunteer or killing somebody in a "cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design." Along the way, lawmakers also fiddled with the language that spells out each eligibility factor. For instance, they narrowed Davis' amendment so that it would apply only in cases where the victim is younger than 12. And they expanded the enumerated felonies that, when committed together with murder, can qualify a defendant for death.

But now the entire list of death-qualifying circumstances is at the center of a widening debate that could come to a head this fall. That's when lawmakers, who are pressing to add yet another type of murder to the statute, will consider Gov. George Ryan's veto of the legislation they approved last spring. Ryan, who called a moratorium on state executions in January 2000 after 13 men on Death Row were exonerated, says the list of eligibility factors may already be too long.

At the same time, a special commission, poised to recommend changes in the state's death penalty system, has been reviewing that list with an eye to possible refinements. And the Illinois Supreme Court could consider whether the broadening scope of the statute has rendered it unconstitutional on its face.

To be eligible for a death sentence in Illinois, a defendant must be convicted of first degree murder and meet at least one of the eligibility,

or "aggravating," factors. If a judge or jury finds the defendant eligible for death, then a sentencing authority must weigh aggravating factors against any number of so-called "mitigating" factors, such as when a defendant has no significant history of criminal activity. If there are no sufficient mitigating factors, then the court must sentence the defendant to death.

This framework — like those in other states — was designed to comply with the U.S. Supreme Court's decision in *Furman v. Georgia* and that decision's progeny. The 1972 decision in *Furman* held that capital punishment, as it was administered in Georgia and Texas, constituted cruel and unusual punishment in violation of the Eighth and Fourteenth amendments because it could be arbitrarily applied. That decision effectively invalidated the death penalty. Subsequent decisions have held that a state's sentencing scheme must narrow the class of people eligible for the death penalty. The statutes also must give judges and juries clear guidelines for determining an appropriate sentence.

Illinois' current death penalty law was enacted in 1977. In its original form, it provided seven eligibility factors, circumstances in a murder that the legislature deemed heinous enough to deserve death, including killing a police officer, killing under contract and killing in the course of a felony.

Lawmakers now have agreed that gang-related killings are heinous enough, too. And when they return to

Springfield next month, they could disregard the governor's objections on that point.

Last spring, the legislature voted overwhelmingly to add factor No. 21 — when the offender commits murder “in furtherance of the activities of an organized gang.” The measure's sponsor, Rep. Susana Mendoza, says it was prompted by a gang-related murder in her district, and that it would deter future gang-related violence. The Chicago Democrat promises to attempt to override the governor's veto. To do that, she would need support from three-fifths of the members in each chamber — 36 in the Senate and 71 in the House.

The governor, who voted for the death penalty when he was in the legislature 25 years ago, has since raised concerns about the administration of that system. When he called the moratorium, he said he feared an innocent person could be executed. At the same time, he formed the commission to review the system and said he wouldn't sign off on more executions until the panel returned with recommendations for change. In vetoing Mendoza's measure, he said that while it represents a “well-meaning effort to address serious gang activity,” it is “misdirected in light of existing laws, constitutional concerns and our past history of erroneously sentencing individuals to death.”

In his written explanation to lawmakers, Ryan argued the existing death penalty statute covers most serious gang activity that results in murder. Murders committed during various drug offenses, for example, are punishable by death. So is murder while committing one of several felony offenses and killing a police officer. Further, Ryan complained that the scope of the proposed language pertaining to gang activities is too broad and that it could discriminate against racial and ethnic minorities.

And he had another concern. “Moreover, as we continue to almost annually add eligibility factors to our death penalty statute, we introduce more arbitrariness and discretion and

edge ever closer to our previous capital punishment system that was effectively held unconstitutional by the United States Supreme Court in 1972,” he wrote. “Over the last year, I have heard from prosecutors, judges and defense attorneys who have suggested we already have far too many eligibility factors under our existing capital punishment statute.”

If lawmakers stick by the votes they cast last spring, Mendoza will prevail. Her measure passed with 44 votes in the Senate and 77 in the House. “I'm looking forward to my colleagues standing by their vote on that,” she says.

Still, the governor could get some extra ammunition as early as this month, when his commission is expected to release its recommendations for reforming the death penalty system. Panel members, including former federal Judge Frank McGarr, the commission's chair, former U.S. Sen. Paul Simon and former U.S. Attorney Thomas Sullivan, have studied several aspects of the capital punishment law, not just the aggravating factors. Nonetheless, eligibility for the death sentence has been a subject of intense scrutiny and debate within the commission.

The state's high court could weigh in on the matter, too. The justices are considering at least two cases in which Death Row inmates argue that having so many eligibility factors has rendered the death penalty statute unconstitutional on its face. Essentially, the defendants maintain that, while each aggravating factor separately may narrow the class of people who are eligible for death, collectively they encompass the circumstances of most conceivable murders, making the statute as a whole unconstitutional. They argue the statute has become so broad that the intent of the law, to limit the cases where death may be imposed, has been negated. “The situation is now that there are so many exceptions to the rule that they have swamped the rule,” says Charles Hoffman, an assistant appellate defender challenging the law on behalf of Death Row inmate Raul Ceja.

After the 13 men were found to have been wrongfully convicted and sentenced to death in this state, all three branches of government took steps to reform the system. The governor called the moratorium and formed his commission. The legislature set aside about \$14 million per year to help cover capital litigation expenses for poor defendants. And the high court implemented a series of safeguards, including requiring most attorneys handling capital cases to meet minimum standards.

But now, Illinois officials not only must wrestle with so-called prosecutorial misconduct, ineffective assistance of defense counsel and a host of other problems associated with the administration of capital punishment, they might have to consider whether the legislature has gone too far in its attempts to punish the worst offenders.

Of course, there are political considerations. It's no secret that by voting for aggravating factors, lawmakers help build their tough-on-crime images. Even the legislator who sponsored the first additional aggravating factor admits as much. “A lot of that was press and showmanship,” Davis says about all of the factors that have been added. “It was for the folks back home at election time.”

Indeed, lawmakers apparently are more interested than prosecutors in the list of death-qualifying crimes. The majority of the statute's 20 aggravating factors have not been used widely, if at all, to make defendants eligible for death.

Reported decisions by the Illinois Supreme Court, to which defendants sentenced to death can automatically appeal their cases, have referred to only nine of the factors, says Bernard Murray, chief of the criminal prosecutions bureau at the Cook County state's attorney's office. Those reported factors include six of the original seven, as well as killing a child, premeditated murder and murder involving torture, he says. The remaining 11 — all but two added since 1990 — have not been

reported.

Killing someone during a hijacking, which took effect in 1977, and killing someone during any one of various drug offenses, which took effect in 1990, have not been reported.

And an analysis circulated within the gubernatorial death penalty commission indicates that prosecutors have overwhelmingly favored two aggravating factors. The analysis, which covered 261 capital cases, found aggravating factors were used 391 times to make defendants eligible for death (defendants can meet more than one factor). And of those 391 instances, prosecutors used committing a murder in the course of a felony 44 percent of the time, and committing two or more murders 36 percent of the time.

"[The eligibility factors] are all well-intended," says Peoria County State's Attorney Kevin Lyons, "but when it comes to practically applying them, they are for the most part set on the shelf by prosecutors."

Meanwhile, outside the courtroom, leading prosecutors question whether the death penalty statute is too broad. "Anything we can do to narrow the scope and raise the bar and make sure [the system] is more fair and accurate, I would support," Republican Attorney General Jim Ryan, a candidate for governor, told the *Chicago Sun-Times* in August. "We have to be certain that the person that ultimately is executed is guilty and had full access to the courts. 'Narrowing the scope' means to make sure that we're only executing the worst of the worst."

More specifically, the attorney general would like to see fewer

Illinois' eligibility list

To be eligible for the death penalty in Illinois, a defendant must be convicted of first degree murder and meet at least one of 20 so-called "aggravating" factors. When this state reinstated the ultimate punishment in 1977, it provided seven such statutory factors. Since then, the legislature has added 13.

During the spring session, lawmakers voted to add one more — committing murder "in furtherance of the activities of an organized gang"— but Gov. George Ryan vetoed that measure and lawmakers are expected to reconsider it during their fall session, which begins in November.

Under the state's capital punishment law, once a defendant is found eligible for death, a judge or jury must weigh aggravating and mitigating factors. If the sentencing authority concludes there are no mitigating factors sufficient to preclude the imposition of the death sentence, then the court must sentence the defendant to death.

Here's an edited list of this state's aggravating factors.

1. The victim was a police officer or firefighter and was killed in the course of duty, to prevent the performance of duty, or in retaliation for performing his or her duty.

EFFECTIVE 1977.

2. The victim was employed by an institution or facility of the state Department of Corrections, or any similar local correctional agency, and was killed in the course of duty. Or the victim was an inmate at such an institution or facility.

EFFECTIVE 1977.

3. The defendant, in connection with the deaths of two or more people, was convicted of first degree murder under Illinois law, another state's law or federal law, regardless of whether the deaths were the result of the same or several acts.

EFFECTIVE 1977.

4. The murdered individual was killed as a result of a hijacking of an airplane, train, ship, bus or other public conveyance.

EFFECTIVE 1977.

5. The defendant committed a murder pursuant to a contract, agreement or understanding by which he or she was to receive money or anything of value in return for committing the murder, or the defendant procured another to commit the murder for money or anything of value.

EFFECTIVE 1977.

6. The defendant murdered the victim in the course of one or more enumerated felony offenses. The defendant must have actually killed or injured the victim, and the defendant must have "acted with the intent to kill or with the knowledge that his acts created a strong probability of death or great bodily harm to the murdered individual or another." The felonies include armed robbery, armed violence, robbery, predatory criminal sexual assault of a child, aggravated criminal sexual assault, aggravated kidnapping, aggravated vehicular hijacking, forcible detention, arson, aggravated arson, aggravated stalking, burglary, residential burglary, home invasion, calculated criminal drug conspiracy and street gang criminal drug conspiracy.

EFFECTIVE 1977.

7. The defendant murdered the victim to prevent him or her from testifying in a criminal prosecution or giving material assistance to the state. Or the defendant murdered the victim because he or she was a witness in a prosecution or gave material assistance to the state.

EFFECTIVE 1977.

8. The victim was under 12 years of age and the death resulted from “exceptionally brutal or heinous behavior indicative of wanton cruelty.”

EFFECTIVE 1982.

9. The murder was committed in a “cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design.”

EFFECTIVE 1989.

10. The defendant, while committing one of several drug offenses, or while engaged in a conspiracy or solicitation to commit such offense, murdered the victim or commanded the murder.

EFFECTIVE 1990.

11. The defendant, while incarcerated, and while committing a felony or while engaged in a conspiracy or solicitation to commit such an offense, intentionally killed the victim or commanded the murder.

EFFECTIVE 1992.

12. The victim was an emergency medical technician, paramedic, ambulance driver, or another medical assistance official, employed by a municipality or other governmental unit and was killed in the course of duty.

EFFECTIVE 1993.

13. The defendant was a drug kingpin — the head of a criminal drug conspiracy — and caused or commanded the victim’s murder.

EFFECTIVE 1994.

14. The murder was intentional and involved the use of torture.

EFFECTIVE 1994.

15. The defendant shot the victim from a motor vehicle.

EFFECTIVE 1995.

16. The victim was 60 years of age or older and the death resulted from “exceptionally brutal or heinous behavior indicative of wanton cruelty.”

EFFECTIVE 1998.

17. The victim was physically or mentally disabled and the defendant knew or should have known that.

EFFECTIVE 1998.

18. The victim was a community policing volunteer and the defendant murdered the victim to prevent him or her from engaging in that activity.

EFFECTIVE 1999.

19. The victim had an order of protection pending against the defendant.

EFFECTIVE 1999.

20. The victim was a teacher or other person employed in any school and the victim was on school grounds or nearby.

EFFECTIVE 2001.

aggravating factors, according to spokesman Dan Curry, because Ryan believes that more factors can lead to more people being sent to Death Row. “One of the ways that we can increase the fairness and accuracy of the system is to subject fewer people to the death penalty system,” he says.

But while the comprehensiveness of the death-qualifying list has created constitutional concerns, the number of aggravating circumstances doesn’t appear to have coincided with more people on Death Row. Still, Curry says, the issue does deserve closer study.

Cook County State’s Attorney Richard Devine, who for a time considered running for governor on the Democratic ticket, also “believes there may be too many qualifying factors for the death penalty, and that we should examine that number,” says Marcy O’Boyle, his spokeswoman.

The political climate surrounding the death penalty may be softening. As recently as a few years ago, it was not popular to talk about reforming the system in any way. In fact, such talk could spell trouble for anyone seeking elected office. Still, this reform-minded mood has yet to take hold in the legislature. Many lawmakers are happy to vote for additional aggravating factors; it’s likely they would be reluctant to scale back the existing law.

That law, with its death-qualifying factors, is governed largely by *Furman*, the decision that struck down death penalty statutes across the country as constituting cruel and unusual punishment. The principles set forth were refined in subsequent decisions.

Aaron Chambers

The five justices who formed the majority in *Furman*, detailing their reasoning in separate opinions, said the death penalty had been implemented in an “arbitrary and capricious” manner, had been “wantonly and freakishly” imposed and had been applied selectively to minorities.

Following that decision, states reconstructed their death penalty statutes in an effort to comply with the principles the justices set forth. Those statutes then made their way back up to the court and, in 1976, the justices ruled in *Gregg v. Georgia* that that state had managed to craft a death penalty law that met the constitutional test. Concerns expressed in *Furman* that the death penalty not be imposed in an “arbitrary or capricious manner,” as three justices wrote, were met by a statute that gives a judge or jury adequate information to impose punishment. The justices said a bifurcated sentencing hearing, such as the one later implemented in Illinois, is preferable. The Georgia statute also met the test, they wrote, because it required the sentencing authority to consider the crime’s circumstances and the defendant’s character before recommending sentencing.

In decisions that followed, the court reiterated that under *Furman* and *Gregg*, “an aggravating circumstance must genuinely narrow the class of persons eligible for the death penalty and must reasonably justify the imposition of a more severe sentence on the defendant compared to others found guilty of murder.”

The nascent argument in this state is that Illinois’ statute cannot be permitted under those decisions because it no longer truly limits the circumstances under which convicted murderers can face the death penalty.

“Indeed, the high number of aggravating factors so greatly expands the class of death-eligible defendants that it is difficult to imagine a first degree murder defendant who does not qualify under at least one, if not several, factors,” wrote Kathryn Saltmarsh, an assistant appellate defender who represents Death Row inmate Mark Ballard, in her brief to the state Supreme Court.

Neither the state nor the federal high

court has specifically considered whether a state’s death penalty statute can be rendered unconstitutional because there are too many aggravating factors, according to attorneys handling the two Illinois Supreme Court cases.

For their part, prosecutors are in court defending the constitutionality of this state’s law. They argue the aggravating factors and the statute in general sufficiently narrow the class of people eligible for death. The parameters of the law’s application, they say, are clearly defined.

Assistant Attorney General David Iskovich, responding to arguments in the Ballard case, wrote that there are two classes of people — those under 18 years of age and those convicted of second degree murder — that statutorily cannot be eligible for the death penalty in Illinois. And he notes that several factors, such as murdering an emergency medical technician, would only apply in specific circumstances. “Ballard’s blanket statement that there are ‘too many’ capital eligibility factors is preposterous when a reading of the statutory factors shows that each provision is narrowly tailored to fit a specific set of facts or circumstances and, as such, each genuinely narrows the class of persons who can be eligible for capital punishment.”

Further, Iskovich points out that Illinois law requires the capital sentencing hearing to occur in two phases: the eligibility phase and the aggravation/mitigation phase, where the sentencing authority must decide whether the defendant should be sentenced to death. During that second phase, the state can invoke statutory aggravating factors or other circumstances not provided for by law. Likewise, the defendant can offer both statutory and nonstatutory mitigating factors. That opportunity for the sentencing authority to consider the unique circumstances of each case, Iskovich argues, puts the law in line with the Eighth Amendment’s requirement that each case be individually assessed.

Curry, the attorney general’s spokesman, says there’s no conflict between the attorney general’s

statutory obligation to defend state law in court and his attempt to exert influence on the legislative process to reshape that law.

For her part, Mendoza, the legislator who is sponsoring the proposal to add gang-related murders to the eligibility list, argues lawmakers have adequately scrutinized each of the additional factors and says she’s comfortable with the death penalty statute as a whole. “You’re always going to have arguments,” she says. “I think if you have five eligibility factors, you’re going to have people arguing it’s unconstitutional for one reason or another.”

And Sen. Carl Hawkinson, a Galesburg Republican and chairman of the Senate Judiciary Committee who is regarded as one of the top legal minds in the legislature, says, “I think those elements that have been enacted have been carefully considered and the argument that the number of them would render [the statute] unconstitutional is probably not a sound argument.”

Certainly, this isn’t the first time defense attorneys have challenged the statute. They are constantly trying different strategies for dismantling it. In fact, this state’s first post-*Furman* death penalty law was struck down as unconstitutional. That law required that a three-judge panel be convened to decide whether to sentence to death a defendant convicted of murder. The state Supreme Court ruled in 1975 that the provision intruded on a circuit court’s jurisdiction.

The state’s next death penalty statute, implemented in 1977, has survived, though the Illinois Supreme Court once came within a single vote of striking it down.

In 1979, the high court considered whether the death penalty statute violated the state Constitution’s separation of powers provision because the prosecutor has unfettered discretion to seek a special capital sentencing hearing after a defendant is found guilty of first degree murder.

In a typical criminal case, the judge decides the sentence after conviction, within statutory guidelines. But in a capital case, the prosecutor has sole

Court decisions

The construction of death penalty statutes is governed largely by the U.S. Supreme Court's decision in *Furman v. Georgia*, which effectively invalidated capital punishment, as well as that decision's progeny.

Here are the highlights of *Furman* and a few of the cases that followed.

1972

- In its *Furman* decision, the U.S. Supreme Court ruled that imposing and carrying out the death penalty in the three cases presented for review constituted cruel and unusual punishment in violation of the Eighth and Fourteenth amendments because the sentence could be arbitrarily applied. The five justices who formed the majority discussed their reasoning in separate concurrences. The remaining four justices dissented.

1976

- In the court's ruling in *Gregg v. Georgia*, seven justices agreed that Georgia's death penalty statute, constructed after *Furman*, didn't violate the Eighth and Fourteenth amendments. Three justices wrote that concerns expressed in *Furman* that the death penalty not be imposed in an "arbitrary or capricious manner" were met by a statute that gives a judge or jury adequate guidance and information for determining the appropriate sentence. They said a bifurcated sentencing hearing was preferable. The Georgia statute was constitutional, they wrote, because it required the sentencing authority to consider the crime's circumstances and the defendant's character before recommending sentencing.

1983

- In the court's decision in *Zant v. Stephens*, five justices, revisiting *Furman* and *Gregg*, reiterated that "an aggravating circumstance must genuinely narrow the class of persons eligible for the death penalty and must reasonably justify the imposition of a more severe sentence on the defendant compared to others found guilty of murder."

1988

- In a ruling in *Maynard v. Cartwright*, a unanimous court declared that, "Since *Furman*, our cases have insisted that the channeling and limiting of the sentencer's discretion in imposing the death penalty is a fundamental constitutional requirement for sufficiently minimizing the risk of wholly arbitrary and capricious action."

1993

- In its decision in *Arave v. Creech*, seven justices, quoting *Zant*, wrote that it's not enough for an aggravating factor to be "determinate." They said a "state's capital sentencing scheme also must 'genuinely narrow the class of persons eligible for the death penalty.' When the purpose of a statutory aggravating circumstance is to enable the sentencer to distinguish those who deserve capital punishment from those who do not, the circumstance must provide a principled basis for doing so."

Aaron Chambers

discretion to ask for the special hearing, where a judge or jury must decide whether to sentence the defendant to death. The prosecutor, therefore, can preclude the imposition of a death sentence by not requesting such a hearing and, it was argued, is therefore unconstitutionally participating in the sentencing process.

But the high court disagreed. The majority wrote that prosecutors generally enjoy "wide discretion in both the initiation and the management of criminal litigation." They rejected the separation of powers argument and a separate argument that letting the prosecutor decide whether to seek the sentencing hearing would lead to "arbitrary and capricious" action.

That decision was the closest the justices have come to striking down the current law. Three of the court's seven justices disagreed with the majority opinion and said they would have invalidated the statute. But two years later, after Justice Seymour Simon joined the court, the dissenters

declined to join their new colleague and strike down the law. Instead, when Simon adopted their argument in a 1981 decision, the three justices voted to uphold the law by adhering to *stare decisis* — the doctrine of precedent, which requires courts to follow earlier judicial decisions when the same points arise.

Even more recently, condemned inmate Donald Bull challenged the law after nine Death Row inmates had their convictions reversed and sentences vacated. He argued in 1998 that the law was flawed because of "the inevitability that innocent persons will be wrongly convicted of capital crimes and executed."

The state high court responded that the American criminal justice system is not perfect, but it provides "maximum protection" against mistakes. The General Assembly and the court, the majority noted, had built additional safeguards into the system to protect defendants. The issue before the court, according to the majority, was whether

Illinois law should provide the death penalty as punishment. And that, the justices concluded, was a question for the legislature.

Nevertheless, Justice Moses Harrison II, now chief justice, dissented from that opinion with words that helped make him, like the governor, a darling of the anti-capital punishment community. "If these [nine] men dodged the executioner, it was only because of luck and the dedication of the attorneys, reporters, family members and volunteers who labored to win their release," he wrote. "They survived despite the criminal justice system, not because of it."

Now the high court has a fresh opportunity to revisit the constitutionality of the state's death penalty statute. The legislature has a shot at expanding the class of people eligible for death. And the lame duck governor, who has held up the death penalty process for nearly two years, can have a final word on the administration of this state's ultimate punishment. □

NO LITTLE PLANS

*Only fragments of the 1909 blueprint for Chicago ever became reality.
The same is likely to be true of this latest civic prescription, and for similar reasons*

CHICAGO METROPOLIS 2020: THE CHICAGO PLAN FOR THE TWENTY-FIRST CENTURY

*By Elmer Johnson
University of Chicago Press, 2001*

Review by Harold Henderson

Chicago needs three things to survive as a world-class metropolitan center: less segregation, less sprawl and better public schools. In order to achieve these and related goals, from more affordable child care to improved mass transit, “we must learn to do something well that we have so far been doing only in fits and starts, namely, we must think and work together as a region.”

That’s the word from *Chicago Metropolis 2020: The Chicago Plan for the Twenty-First Century*.

It’s not a new prescription. And the entire 188-page book, from its elegant jacket cover, to Chicago attorney Elmer Johnson’s prose, to its sponsorship by the Commercial Club of Chicago, is an all-but-reverent effort to build on Daniel Burnham’s *Plan of Chicago*. The Commercial Club, a business group, sponsored the 1909 plan, as well. Historian Donald Miller in his foreword even describes *Chicago Metropolis 2020* as “a visionary strategy that calls on Chicago to become what



Web resources

Chicago Metropolis 2020
www.chicagometropolis2020.org/
Book excerpt
www.press.uchicago.edu/Misc/Chicago/402002.html

it was a century ago, one of the most innovative cities in the world in business, technology and urban reform, a place people visited to catch a glimpse of the metropolitan future.”

In many ways, the 2020 plan does reflect a Progressive-era approach to planning and government that would not have seemed out of place in Burnham’s day. Some of its recommendations could have been lifted directly from his plan. He called, for instance, for a regionwide metropolitan council to oversee the orderly development of the suburbs, and “a grouping and relocation of railroad tracks and terminals.” Neither recommendation was implemented,

and versions of both appear in the new plan.

In fact, only fragments of Burnham’s 1909 plan ever became reality. The same is likely to be true of *Metropolis 2020*, and for similar reasons: Its proposals lack widespread public support, and its planners would rather avoid politics altogether.

Metropolis 2020, like its predecessor, often takes a moralistic tone. “We would be a hollow and nearsighted people indeed,” writes Johnson, “if we were to neglect ideals concerning human dignity and equality of opportunity, community and environmental integrity, and the ideals and civilizing purposes of a great metropolitan region. All of us should be driven, first and foremost, by these compelling moral ideals and purposes.”

Compelling moral ideals are not especially amenable to compromise or to variation by locale. So it’s not surprising that the 2020 planners, again like Progressive-era reformers, seem more comfortable with central-

ization than decentralization. Johnson endorses the principle of "subsidiarity," under which "action should be taken at the lowest level of government at which particular objectives can adequately be achieved." But time and again, the plan views multiplicity as a source of inefficiency, not fruitful and diverse experiences. The plan endorses a statewide building code that would "supersede all local building codes," a reduction in the number of single-purpose governments, and consolidation of the "56 different government funding sources for job training in metropolitan Chicago alone ... the need is for a comprehensive and coordinated workforce development system."

Very little about Chicago is comprehensive and coordinated enough to suit these folks.

The keystone of *Metropolis 2020* is its proposal for a Regional Coordinating Council. This is the planners' effort to reconcile the contradiction facing municipal reformers in the year 2001. On the one hand, no individual city or suburb can do much by itself to reduce segregation, by race or income, or sprawl, or the housing and zoning policies that encourage both. On the other hand, there is little public interest in establishing a region-wide government to do something about these problems, such as by requiring each jurisdiction to welcome its "fair share" of the disadvantaged.

Metropolis 2020 first tries to resolve this contradiction with rhetoric. The proposed regional council would not be a metropolitan government. Johnson insists, because it would have no power to compel obedience; it would be "incentive-based."

The council would have its own money, perhaps from a new statewide sales tax on some personal services or from a regional tax-base-sharing program. It would then issue bonds to finance highways, parking, sewers, open space, and land acquisition, but only for those suburbs that meet its standards. Jurisdictions would get nothing unless they have zoning and building codes consistent with state standards, proper regulations on water resource management,

"vigorously enforced" fair housing laws and a comprehensive plan consistent with the council's mission.

The council might not legislate, but it would provide "a framework that strongly motivates counties and municipalities within the region to correlate their local goals [for transportation, land use, housing and the environment] with the large public interest of the region."

Like turn-of-the-century Progressives, the 2020 planners don't want politics involved in determining exactly what "the large public interest of the region" might be. The plan rejects the idea of electing the trustees of the Regional Coordinating Council, because "the voters are already deluged at election time with a complexity of choices for numerous offices; another set of decisions would only add to the confusion."

The planners are more comfortable with a government carefully bounded by professional expertise. But *Metropolis 2020* often treats that expertise as a black box of authoritative answers rather than the outcome of informed debate. The book makes a number of dogmatic assertions, most notably that "suburban residents going to work in major central business districts in the United States in their own vehicles directly pay for only about 25 percent of the total costs of their transport," and that in order to improve public education we must have "a much higher level of intolerance for poor teachers."

Both assertions are open to question, and, while no plan can be expected to rehearse the whole debate, the book offers its reader little help in assessing their validity.

Metropolis 2020 is not pie-in-the-sky. Johnson suggests that one way to gradually grow a regional council would be to consolidate the area's two existing but comparatively toothless planning agencies, the Northeastern Illinois Planning Commission and the Chicago Area Transportation Study. Curiously, the book nowhere mentions Chicagoland's oldest regional government, now known as the Metropolitan Water Reclamation District. Founded in 1889 to reverse the flow of the

Chicago River and expanded in 1955 to deal with flooding in most of Cook County, the agency has been fairly successful at keeping sewage out of Chicago drinking water and flood-water out of Cook County basements — both classic examples of problems that individual suburbs can't manage on their own.

But the Water Reclamation District has not measured up to Progressive-era standards. It has not been free of corruption. It has not been free of politics. And, most damningly, it has not adopted policies that today's progressives agree with. For instance, the district chose the Deep Tunnel Project to deal with stormwater and sewage mixtures, digging huge holes in the limestone underneath Chicago to store excess rainwater rather than using a variety of low-technology, small-scale measures that might have dealt with big storms just as well and at less cost.

Nevertheless, the plan should have considered the Water Reclamation District's experience because its projected regional council will face the same conflict between what certain elites want and what the general public wants. Even if a regional agency were to emerge with more power than the Northeastern Illinois Planning Commission and the Chicago Area Transportation Study now possess, it might not choose to do things the way the *Metropolis 2020* planners would like. It might well decide instead that new west and south suburban beltways would help people get around better; it might fumble and wobble and do nothing when confronted with the issue of affordable housing, as the Lake County Board has done over the past several years. Such actions and inactions would not reflect the 2020 plan. But judging by those who are elected to public office in metropolitan Chicago, they might well reflect the will of the majority living in the area. A new governmental structure might open up new possibilities, but it won't guarantee that much of *Metropolis 2020* will come to pass. □

Harold Henderson is a writer for the Chicago Reader. His most recent piece for this magazine, "Supermarkup to the world," appeared in the May issue.

SHIFTS AT THE TOP

State schools chief to step down

Glenn "Max" McGee wishes Illinois' 2 million public school students had posted greater gains on state achievement tests over the past three years, but says he doesn't believe he is a scapegoat for those who want more progress sooner.

"I've worked hard," McGee said after announcing he won't ask the State Board of Education for an extension of his first three-year contract as Illinois' superintendent of education. That contract expires at the end of the year.

The former Deerfield school superintendent is credited with bringing more awareness to the gap between lower-achieving — and generally lower-income — black and Hispanic students and higher-achieving white students. Officials also praised him for folding the nationally recognized ACT college placement test into the new Prairie State Achievement Exam for high school juniors.

But state board members say they are frustrated that 40 percent to 50

percent of students still aren't meeting state learning standards, and that the achievement gap hasn't narrowed.

McGee, a suburban Barrington resident who turns 51 this month, says his bosses — members of the state board — now need someone with "different experiences and skills." McGee previously said he was eager to continue as superintendent.

Several board members asked McGee to step down voluntarily because they are impatient with the pace of education reforms aimed at boosting student achievement and school funding. Nevertheless, the board is negotiating to keep McGee on as a consultant for at least six months after his contract expires, at a monthly rate based on his current \$216,000 annual salary.

McGee says he hopes his successor won't suggest major changes in the 4-year-old learning standards or the state tests that measure students' performance. "What's really important for us is to maintain momentum," he says.

Some observers believe the board judged McGee too quickly. Since the state's Constitution was revised in 1970 to make the superintendent an

Photograph by Randy Squires



Glenn "Max" McGee

appointed rather than an elected post, no one has served longer than five years.

The next time around, advises Max Pierson, professor of educational administration at Western Illinois University in Macomb, "the board should choose wisely and stick with that candidate through thick and thin."

Dean Olsen

Statehouse, Copley Illinois Newspapers

*Photograph courtesy of
Cypress Creek National Wildlife Refuge*



Henry Barkhausen

CACHE RIVER Former conservation director honored

"It's like seeing Louisiana out of place," says Henry Barkhausen describing southern Illinois' cypress-tupelo swamp. "Most people don't know [the Cache River State Natural Area] is the jewel in the state's park system."

Barkhausen, who was director of the Illinois Department of Conservation from 1970 to 1973, has been trying to get that word out for most of the last two decades. Now a new center has been named for him. The \$4 million Henry N. Barkhausen Cache River Wetlands Center should be open by next summer. But it won't be a typical visitors center. Because the southern part of the state, he says, remained fairly isolated until a generation ago, it was "Illinois' last

frontier." Part of the cultural display will be a re-creation of the first cabin and the farming equipment used in early settlement.

The centerpiece of the wetlands center, though, will be a life-size diorama that depicts the swamp. Jim Waycuilis, Department of Natural Resources site superintendent, says it will look much like Heron Pond. There will be a mural of a wetland and models of cypress trees, knees, swamp rose and other plants, as well as birds, frogs and insects. "It will cover the diversity of the area from the floor of the pond all the way to the trees' canopy," he says.

The Cache River State Natural Area encompasses 11,768 acres of state-owned land in Johnson and Pulaski counties that is managed as two distinct areas: the Little Black Slough and the Lower Cache. Little Black Slough lies

TRANSITIONS

Chamber tabs new chief

Douglas Whitley, longtime leader of the Taxpayers' Federation of Illinois, state revenue department director and Ameritech Illinois president from 1993 to 1999, took the reins as president and CEO of the Illinois Chamber of Commerce last month. He succeeds **Dennis Whetstone**, who left last December.

Board Executive Vice President Michael Ayers says Whitley was chosen because "his background with leadership positions in a state association, a state agency and a corporation gives him the perspectives of the three major environments in which the chamber works and provides its leadership for state policy development."

Federal nominations and appointments

Jan Paul Miller was recommended by U.S. Sen. Peter Fitzgerald as Illinois' central district U.S. attorney. Miller is an assistant U.S. attorney in Maryland. If nominated by President George W. Bush and confirmed by the U.S. Senate, he will replace **Frances Hulin** as chief federal prosecutor of the 46-county Springfield-based district.

on the Upper Cache River north of Belknap, while Lower Cache is along the stretch of Lower Cache River from Karnak to Perks.

The Cache River State Natural Area includes three nature preserves, and at last count it contained 56 state-threatened or endangered plant and animal species and 11 state champion trees. Further, the National Park Service has two registered National Natural Landmarks within the area.

Barkhausen says the Cache River area is significant because it contains true southern swamps at the northern portion of their range. The Cache has been named a Ramsar site, meaning it's a wetlands of international importance. There are only 17 such sites in the country, places like the Everglades and Okefenokee swamp, and the Cache is one of two in the Midwest. *Beverly Scobell*



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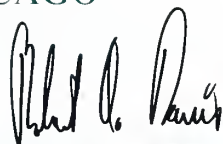
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City remap stirs up a spicy blend of partisanship and race

by Robert Davis

Chicago politicians spend a lot of time decrying and denying the decades-old description of their home town as “the most segregated city in the north.” Then, every 10 years, they put a lot of effort into proving it.

It’s that time of the decade when Chicago’s 50 aldermen and one mayor have to put their agreements aside and start redrawing Chicago’s ward map, under which they must live, serve and run for election until the United States counts residents again in 2010. Chicago isn’t alone in the need to reapportion political representation, but in this city that exercise stirs up a spicy blend of partisanship and race. This time, there’s a distinctive flavor of salsa, as well. While most representational maps are drawn with an eye to Republicans and Democrats, Chicagoans must render their political calculations in black, white and Hispanic, just to satisfy pesky U.S. Supreme Court rulings.

So how do matters stand? At the end of the millennium, the 50-member Chicago City Council had 23 white aldermen, 20 black aldermen and seven Hispanic aldermen. But the Hispanic population has grown enormously in Chicago, and, though voting turnout in existing Latino wards is notoriously low, there is a major demand this year for more Hispanic-dominated city wards. Lots more. Incumbent Hispanic aldermen are mulling a new map that would add five Hispanic-majority wards, while

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the Mexican American Legal Defense and Educational Fund, a private group that spent much of the 1990s fighting the current map in court, wants six.

Under this scenario, somebody else would get the short end. Though the city’s African-American population growth was surpassed by Hispanic gains, incumbent black aldermen at least want to keep all 20 of their wards. So, presumably, do the 23 white aldermen. Under the law, it all has to add up to 50, so someone has to give.

Chicago is supposed to draw a new map by December 1, or deliberations will end up in court. They probably will anyway. Nothing in Chicago, especially in politics, is simple.

And there are other quirks that make things interesting. For starters, there’s Ald. Richard Mell, who as head of the council’s Rules Committee, is the guy in charge of the remap process. Mell’s Northwest Side ward already is heavily Hispanic and the Hispanic plan would make it even more so. It is worth noting

that Mell is a German American whose son-in-law is U.S. Rep. Rod Blagojevich, a Serbian American who wants to be elected governor with the help of Chicago’s black, Hispanic and Asian voters.

Then there’s Ald. Edward Burke, one of Chicago’s best vote deliverers and the council’s dean, whose Southwest Side 14th Ward already is predominantly Hispanic, a fact that doesn’t stop him from winning re-election by hefty majorities every four years.

And there’s Ald. Thomas Murphy, a white Irishman, who represents a “super-majority” black ward but also keeps getting re-elected. Murphy was targeted in the last remap and sold out by his white colleagues, who even saw to it that his own home was mapped out of the new 18th Ward. He moved and won anyway. He’ll likely have to endure the laser dot of sacrifice once again. Still, last summer he asked to be included in the Black Aldermanic Caucus because, after all, most of his constituents are African American. After much soul searching, the black leadership grudgingly granted him honorary membership, which entitles him to attend caucus meetings but not vote.

These latest deliberations over Chicago’s political map rest on old ground, the city’s long tradition of ethnic pride. The hope is that, by cultivating clout, a group will harvest more of what the city’s leaders hand out in the future. And, of course, by dividing the farm into convenient little plots of about 58,000 residents each, mapmakers aim to guarantee their own futures. The problem, though, is that there is just so much land to go around. And in Chicago, that isn’t the Drummer Silty Clay Loam that Gov. George Ryan designated as the official state soil in August. It is, instead, a rich vein of voters and, unfortunately, a lot of that stuff downstate farmers spread around to make things grow. ▢

Robert Davis, a lecturer at the University of Illinois at Chicago, covered Chicago politics for the Chicago Tribune for more than 30 years.

Charles N. Wheeler III



Democratic cartographers will have to convert luck into majorities

by Charles N. Wheeler III

When Secretary of State Jesse White drew the name of former Illinois Supreme Court Justice Michael Bilandic out of a stovepipe hat last month to give Democrats control of legislative redistricting, the response among that party's representatives on hand seemed rather subdued compared to the partisan exuberance seen in the past.

Perhaps their response was muted out of deference to the venue: The drawing was conducted in the House chamber of the Old State Capitol, where Abraham Lincoln gave his "House Divided" address.

Or Democratic elation may have been tempered by sober reflection on the challenges party cartographers face in converting the luck of the draw into majorities in the Illinois General Assembly for the next decade.

The Democrats already control the House, 62-56, as they have for all but two years under the map Republicans drew in 1991. But the Senate has been in GOP hands since then; currently, Republicans hold a 32-27 edge in that chamber, which mapmakers needed to figure out how to overcome.

The first problem for the Democrats was the Census 2000 numbers, which revealed a boom-and-bust pattern of population growth during the 1990s. While the state as a whole grew by almost a million people, the gains were not uniform. About three-quarters of the growth occurred in suburban Cook

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and the collar counties, long regarded as Republican strongholds. The Democrats' traditional power base, the city of Chicago, grew by only 4 percent, while more than a third of the 96 downstate counties lost population.

As a result, four out of every five Democratic incumbents were in districts that had fewer residents than the target number dictated by one person, one vote — 210,496 for Senate districts and 105,248 for House districts.

Moreover, every current district drawn to have a black majority was down in population, as were three out of the four Hispanic House districts

and one of the two Hispanic Senate districts.

Further complicating matters for Democratic mapmakers, Chicago's growth — the city's first in 50 years — was largely the result of a roughly 210,000-surge in the number of Hispanics, who rightly believed their numbers merited additional legislative seats, some likely to come at the expense of non-Hispanic Democrats.

Given such constraints, one might have wondered how party mapmakers could craft a plan that would achieve their two foremost objectives: elect Democratic majorities and protect incumbents. The map unveiled a few weeks ago relied on several approaches.

Democrats:

- Extended some city-based districts into suburban turf to meet population targets without jeopardizing city, and hence Democratic, control.

In particular, existing districts with African-American majorities were stretched farther into the western and southern suburbs, taking advantage of an almost 30 percent increase in the number of black residents there.

As a result, the map maintained the current numbers of black districts, eight in the Senate and 18 in the House.

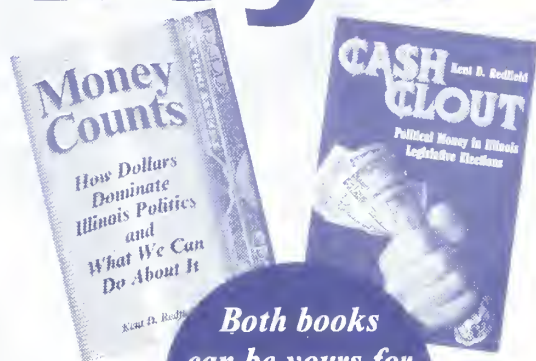
- Doubled the number of districts in which the majority of residents are Hispanic. The map crafted four Senate and eight House districts centered around Hispanic neighborhoods on Chicago's northwest and southwest sides and nearby suburbs.

Moreover, two other House districts drawn around Aurora and Elgin each have 40 percent or more Hispanic populations. Adding in the African-American population, the Aurora district is roughly 57 percent minority, giving a Democratic candidate a decent chance at winning.

- Kept large urban areas downstate in single House districts, rather than split them up as Republicans did a decade ago.

For example, the map places most of Champaign and Urbana — and their

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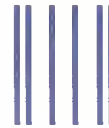
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- Kept large urban areas downstate in single House districts, rather than split them up as Republicans did a decade ago.

For example, the map places most of Champaign and Urbana — and their

University of Illinois students — in the same House district, one expected to have Democratic leanings. A decade ago, Republicans divided the towns between two districts, each filled with lots of GOP-friendly rural turf.

Democrats also consolidated urban areas elsewhere downstate, including Rockford, Springfield, Bloomington-Normal and Decatur.

- Carved up Republican-held districts downstate to provide Democratic districts with the extra population needed to make the target numbers.

- Mapped 38 incumbent lawmakers — including eight GOP senators — into the same districts. Another Senate Republican was paired with a Democrat whom the district was drawn to favor. Eight House Republicans were paired, and three others placed in districts with Democratic incumbents. For most, the map posed the unpleasant choices of running against a party mate in the primary, moving to another district, looking at another office, or retiring.

Assuming the plan survives the inevitable Republican legal challenges, as happened with the 1981 Democratic map and the 1991 Republican effort, Democratic leaders aren't quite finished.

- Left six Senate and 13 House districts open. While many are in GOP-leaning areas, Democratic hopefuls stand a better chance of pulling an upset without a Republican incumbent.

Republicans bitterly attacked the plan, of course, denouncing it as — gasp! — “blatantly partisan.”

“unfair,” and an effort “to eliminate the two-party system in Illinois.” If their squawks evoked a sense of déjà vu, it's probably because Democrats leveled the same charges when Republicans did the gerrymandering 10 years ago.

Assuming the plan survives the inevitable Republican legal challenges, as happened with the 1981 Democratic map and the 1991 Republican effort, Democratic leaders aren't quite finished. They still must find quality candidates, mount effective campaign operations and raise big bucks if they are to win legislative majorities next year, when all 59 Senate and 118 House seats are up.

But the deck will be stacked in their favor not only in 2002, but in the next four elections as well. For Democrats, that's surely something to cheer about. □

Charles N. Wheeler III is director of the Public Affairs Reporting Program at the University of Illinois at Springfield.

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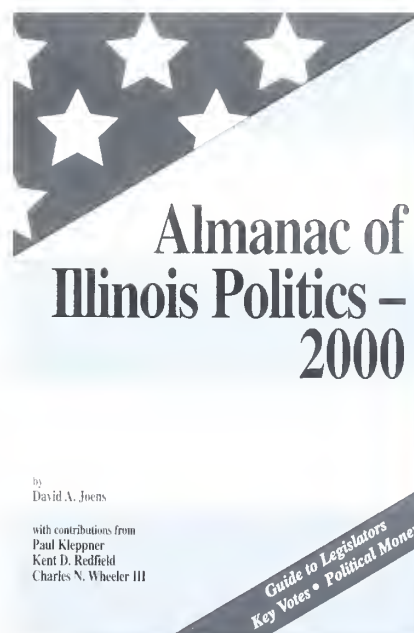
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